

COMMISSION MEETING AGENDA
Griswold's Inn
555 West Foothill Boulevard
Flamenco Room
Claremont, California
October 23, 1986

CALL TO ORDER

FLAG SALUTE

ROLL CALL OF COMMISSION MEMBERS

INTRODUCTIONS

PRESENTATION OF RESOLUTION TO FORMER POST MANAGEMENT FELLOW TOM HOOD

PRESENTATION OF PLAQUE TO RETIRING COMMISSIONER GLENN DYER

PRESENTATION OF PLAQUE TO RETIRING COMMISSIONER CHARLES B. USSERY

APPROVAL OF MINUTES

- A. Approval of the minutes of the July 24, 1986 regular Commission meeting at the Hilton Hotel in San Diego.

CONSENT CALENDAR

B.1. Receiving Course Certification Report

Since the July meeting, there have been 29 new certifications and 20 decertifications. In approving the Consent Calendar, your Honorable Commission takes official note of the report.

B.2. Approving Resolution for Former Commissioner Art McKenzie

In approving the Consent Calendar, your Honorable Commission adopts a resolution commending former POST Commissioner, Chief Arthur R. McKenzie, for his past service to the law enforcement community.

B.3. Approving Resolution Commending Advisory Committee Member Ben Clark

In approving the Consent Calendar, your Honorable Commission adopts a Resolution recognizing the services of Ben Clark as both a POST Commissioner and as a member of the POST Advisory Committee during his thirty-six years of service to California Law Enforcement.

B.4. Approving Resolution Commending Management Fellow Louis Trovato

In approving the Consent Calendar, your Honorable Commission adopts a Resolution commending Louis Trovato of the Los Angeles Police Department for his service as a POST Management Fellow.

Mr. Trovato successfully concluded research into a Shoot/No-Shoot Firearms Training Simulator.

B.5. Approving Resolution Commending Management Fellow Andrea Hop

In approving the Consent Calendar, your Honorable Commission adopts a Resolution commending Andrea Hop of the Walnut Creek Police Department for her service as a POST Management Fellow.

Ms. Hop planned and coordinated the development of a comprehensive law enforcement records management manual.

B.6. Receiving Information on New Entry Into POST Specialized Program

Commission procedures provide for agencies to enter the POST Specialized Program when qualifications have been met. In approving the Consent Calendar, your Honorable Commission notes that the California Department of Corporations has met the requirements and has been accepted into the Specialized Law Enforcement Program.

B.7. Affirming Commission Policies Set by Actions at July 1986 Commission Meeting

Consistent with Commission instructions, statements of policy made at a Commission meeting are to be submitted for affirmation by the Commission at the next meeting.

At the last meeting, the Commission approved policy concerning:

- o Admittance guidelines for the Command College, and
- o policy regarding granting of Commission recognition to retiring law enforcement officials.

Both policies are described fully in the report under this tab. In approving the Consent Calendar, your Honorable Commission affirms the policies as described.

B.8. Receiving Financial Report - First Quarter FY 1986/87

The first quarter financial report will be provided at the meeting for information purposes. In approving the Consent Calendar, your Honorable Commission receives the report.

REQUESTS

C. Request for Reimbursement of Civilian Employees Attending the Executive Development Course

A request has been received from the Los Angeles Police Department for Commission consideration of a policy change to allow reimbursement for civilian managers attending the Executive Development Course. Since 1983 the Commission has reimbursed for civilian managers attending the Management Course. Experience has shown a low volume of civilian managers in the Management Course and indications are that curriculum is relevant.

Analysis presented in the report under this tab suggests that Executive Development Course content would be beneficial for high ranking civilian managers and that few would qualify for attendance.

A public hearing would be required to change regulations.

If Commissioners wish to consider a change to allow the requested reimbursement, appropriate action would be a MOTION to schedule a public hearing during the January 1987 meeting.

D. Request from Los Angeles County District Attorney for Waiver of Psychological Screening and Medical Evaluation Requirements

The District Attorney of Los Angeles County has requested that the Commission waive selection standards requiring medical and psychological exams when peace officers change employment between the District Attorney's, Marshal's and Sheriff's Departments of Los Angeles County. His view is that since such changes of employment involve tenured peace officers of the same governmental entity, they should be viewed the same as intra-departmental transfers. His concern is to avoid unnecessary costs.

POST policy has always been to consider all transfers between departments, whether intra- or inter-jurisdictional, as "lateral entry" and subject to all selection standards.

An analysis of the request and apparent alternatives is included in the report under this tab. Peace officers are required to continuously adhere to qualifying selection standards. Reappointment or appointment to new peace officer classifications provides a reasonable time to require demonstration of continued adherence to standards.

The Long Range Planning Committee has scheduled review and discussion of the psychological screening requirement at its meeting on October 22. It is anticipated that the Committee will offer a recommendation on this issue.

TRAINING PROGRAM SERVICES

E. Modifications to Bailiff/Civil Process Course

The Commission at the April 1983 meeting revised the basic training requirement for marshals and deputy marshals to permit satisfaction by completion of the Regular Basic Course plus the 80-hour Bailiff and Civil Process Course. Representatives of California's marshals have requested that the 80-hour Bailiff/Civil Process Course be presented as either an intact 80-hour course or as two 40-hour courses. The 80-hour course is presented infrequently and at only one location. The proposal would permit two 40-hour courses (Civil Process Course and Bailiff and Court Security Course) to be presented in additional locations and more frequently, thus permitting marshals' offices the ability to more readily satisfy the POST basic training requirement.

As described in the report under this tab, the requested change would require approval of procedures by the Office of Administrative Law as a technical change without regulatory effect.

If the Commission concurs, appropriate action would be a MOTION to revise Commission Procedure D-1-5 to permit the requested change.

F. Policy on Driver Training Tuition

The Driver Training Study is progressing as has been reported in the past. The study includes a proposal for addressing the driver training needs for an indefinite period into the future.

In the meantime, community college academies are adjusting to fee charging changes made necessary by AB IXX. Some academies are shifting basic course driver training away from ADA generating course. As described in the report under this tab, some flexibility and revision of current driver training tuition policy seems in order.

In the past, practice has been for the Commission to approve tuition for driver training, though other course tuitions are set by staff consistent with guidelines. Because of the flux and uncertainty caused by AB IXX, we recommend that driver training tuition be handled as other tuition courses on a case by case basis. This would allow POST to assure that unusual situations could be dealt with while the ADA issues are addressed and clarified in the future.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to review driver training applications on a case by case basis and set tuition as with other tuition courses.

EXECUTIVE OFFICE

G. Authorizing of Report to Legislature Regarding Peace Officer Killing Study

AB 1911 directed POST to study the circumstances surrounding peace officer killings, develop guidelines for optional use of law enforcement agencies, and revise basic course curriculum as indicated by the study. A report back to the Legislature is required by December 31, 1986.

The study is still in progress and the analytical phase needs to await completion of survey work. At this time it is anticipated that a preliminary report can be forwarded to the Legislature by the due date and that final proposals will be ready for Commission review at the January 1987 meeting.

The report called for by AB 1911 is, of course, of great significance and warrants the allowance of additional time if needed by the departments to properly complete the survey forms. The Commission may wish to appoint an ad hoc committee that could review and approve a staff prepared report prior to the December 31, 1986 legislative deadline.

A background report on the study is included under this tab. The matter is submitted for Commission information and consideration.

H. Approval to Negotiate Contract for Shoot/No-Shoot Simulator Training Service

The Commission has previously approved contracting with a private vendor to develop a shoot/no-shoot training simulator. We now recommend the Commissioners consider contracting with a local agency to provide shoot/no-shoot training services as an alternative to direct acquisition of the equipment through State procurement procedures. This recommendation in a sense eliminates an intermediate step. If the Commission were to acquire such a system directly, it would still have to identify an agency to present the training. This approach represents a more expeditious way of getting this needed training on line quickly. As the Commission is aware, we have experienced difficulties and delays within the State's acquisition process as described and explained in the report under this tab.

Negotiations for this training service are underway with the Los Angeles Sheriffs' Department. It is envisioned that a contract would generally specify that POST would provide the Sheriffs' Department with funding not to exceed \$557,000 (budgeted amount previously approved by the Commission) to develop the training program with a commitment that the Department would retain ownership of the system, and would agree to provide simulator training to law enforcement personnel from around the State at a POST-approved tuition rate.

If the Commission concurs, appropriate action would be a MOTION to authorize the Executive Director to negotiate and sign a contract with the County of Los Angeles or other unit of local government to develop the Shoot/No-Shoot Simulator System at a cost not to exceed \$557,000.

I. Supervisory Leadership Institute

The Commission, at the October 1986 meeting, directed staff to develop a Supervisory Leadership Institute that would improve leadership capabilities of existing first-line, sworn supervisors, e.g., sergeants. Because of the overall workload, staff has been unable to expedite work on this project in a manner which would bring about closure in a reasonable period of time.

To conduct the remaining research, it is recommended that POST contract with a local unit of government to secure six months services of a POST Management Fellow. This program has worked well in the past. We seek to use it judiciously, and feel it would be successful for this project.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to negotiate and sign a contract with a local employing jurisdiction to secure six months services of a POST Management Fellow to develop the Supervisory Leadership Institute at a cost not to exceed \$50,000.

J. Policy on San Francisco Patrol Special Officers

At the April 1986 Commission meeting, the San Francisco City Attorney raised a legal issue on the status of their Patrol Special Officers, alleging the Patrol Special Officers have P.C. 830.1 status and demanding the Commission apply requisite selection and training standards. The Commission did not act on the City Attorney's request, but asked that alternatives be studied and brought back at the July 1986 meeting.

At the July meeting, a report on staff's onsite review of the matter was presented indicating no new information which would lead to a change in the Commission's stance of not requiring Section 830.1 selection and training requirements for Patrol Special Officers. In addition, the Commission received additional public testimony and 28 documents submitted by the attorney representing the Patrol Special Officer Association.

At the conclusion of the meeting, the Commission deferred action on the matter until the October 1986 meeting to permit time for review of the documents. These documents have been reviewed. There was nothing substantially new, nor was there anything which would suggest a change of the previous recommendation.

If the Commission concurs, the appropriate action would be a MOTION to decline to recognize the Patrol Special Officer as a peace officer defined in P.C. Section 830.1.

K. Report on Proposed Funding of Facilitators for Executive Workshops

A proposal was made at the July 1986 meeting that the Commission approve funding for salary of facilitators for regional chief executive workshops. Commissioners requested that staff further evaluate the proposal and project costs and report back at this meeting.

The report under this tab indicates that costs for facilitators would likely range from \$16,000 to \$32,000 per year if all such workshops utilized a paid facilitator funded by POST. The estimate is arrived at based upon hourly rates and limitations as described in the report.

The report describes certain limitations that clearly separate facilitators as agenda expeditors from consultants. It has long been Commission policy not to use POST funds to employ consultants for departments. The report also emphasizes existing state contracting procedures and other requirements that would likely be employed if the requested funding is approved.

If Commissioners concur, appropriate action would be a MOTION to authorize salary for facilitators at area executive workshops where they are requested and justified in the context of this staff report.

COMMITTEE REPORTS

L. Long-Range Planning Committee

Chairman Wilson will report on the October 22, 1986 Long-Range Planning Committee meeting held in Claremont.

M. Finance Committee Report

Commissioner Wasserman, Chairman of the Commission's Finance Committee, will report on the telephone conference call Committee meeting of October 14, 1986.

N. Legislative Review Committee

Commissioner Block, Chairman of the Commission's Legislative Review Committee, will report on the results of the Committee meeting of October 23, 1986 meeting in Claremont.

O. Field Needs Survey Ad Hoc Committee

Commissioner Maghakian, Chairman of the Field Needs Survey Committee, will report on the field response to the surveys to date. A full report on the results of the survey, which is just now beginning to be tabulated, will be brought to the Commission in January.

P. Advisory Committee

The Chairman of the POST Advisory Committee, will report on the results of the October 22, 1986 meeting in Claremont.

OLD/NEW BUSINESS

Q. Correspondence

From Duane Lowe, Chief, Division of Investigation, Department of Consumer Affairs, requests to attend the POST Command College.

R. Appointment of Advisory Committee Member

The Sheriffs' Association has offered the names of three nominees the Commission may consider in selecting a replacement to serve out the remainder of Sheriff Ben Clark's term of office which expires in September, 1987. Their first choice is San Bernardino County Sheriff Floyd Tidwell.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

January 22, 1987, Hyatt Islandia, San Diego
April 23, 1987, Sacramento Hilton Hotel, Sacramento
July 23, 1987, Bahia Hotel, San Diego
October 1987, San Francisco Bay Area (To Be Determined)

ADJOURNMENT

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

COMMISSION MEETING MINUTES

July 24, 1986

San Diego Hilton Hotel

San Diego, California

The meeting was called to order at 10:00 a.m. by Chairman Wilson.

Michael Sadleir, Chairman of the POST Advisory Committee, led the salute to the flag.

ROLL CALL OF COMMISSION MEMBERS

A calling of the roll indicated a quorum was present.

Commissioners Present:

B. Gale Wilson	- Chairman
Robert Wasserman	- Vice-Chairman
Sherman Block	- Commissioner
Glenn Dyer	- Commissioner
Carm Grande	- Commissioner
Edward Maghakian	- Commissioner
Raquel Montenegro	- Commissioner
C. Alex Pantaleoni	- Commissioner
Charles B. Ussery	- Commissioner
Robert Vernon	- Commissioner

Commissioners Absent:

John K. Van de Kamp	- Commissioner
Cecil Hicks	- Commissioner

Also Present:

O. J. Hawkins, Attorney General Representative
Michael Sadleir, Chairman, POST Advisory Committee

Staff Present:

Norman C. Boehm	- Executive Director
Glen Fine	- Deputy Executive Director
Don Beauchamp	- Assistant to the Executive Director
Dave Allan	- Bureau Chief, Compliance & Certificate Services
John Berner	- Bureau Chief, Standards and Evaluation Services
Katherine Delle	- Executive Secretary
Michael DiMiceli	- Bureau Chief, Management Counseling Services
Ted Morton	- Bureau Chief, Center for Executive Development
Otto Saltenberger	- Bureau Chief, Administrative Services
Harold Snow	- Bureau Chief, Training Program Services

Robert Spurlock	- Training Program Services
Darrell Stewart	- Bureau Chief, Training Delivery Services
George Williams	- Bureau Chief, Information Services

POST Advisory Committee Members Present:

Don Brown
Ben Clark
Ray Davis
Barbara Gardner
Ron Lowenberg
Jack Pearson
Joe McKeown
Carolyn Owens
William Shinn
Mimi Silbert
Gary Wiley

Visitor's Roster

Tennise Allen	- Sacramento County Sheriff's Department
John J. Andrews	- San Francisco Police - Patrol Specials
John Candido	- San Francisco Police Department
Robert Crumpacker	- San Bernardino County Marshal's Office
Steven A. Diaz	- San Francisco Patrol Special Officers' Assn.
Eugene B. Elliot	- San Francisco City Attorney's Office
J. Ferronato	- San Bernardino County Sheriff's Department
Gaitan	- L.P.O.A./L.A.M.C.
Richard Klapp	- San Francisco Police Department
Dennis Kollar	- San Diego County Sheriff's Department
John Lentz	- Covina Police Department
Bill Martin	- Downey Police Department
Carl F. Mays	- Los Angeles Community College District
Mike McCrary	- Signal Hill Police Department
Daniel G. Means	- Los Angeles Community College District
Corinne Murphy	- Attorney General's Office
Norm Phillips	- South Gate Police Department
Dan Spratt	- Orange County Sheriff's Department
Ivory J. Webb	- Compton Police Department
Calvin Wiley	- San Francisco Patrol Special Officer
J. J. Wolf	- Los Angeles Community College District
Shelby Worley	- Riverside County Sheriff's Department

SPECIAL PRESENTATION

Chairman Wilson presented a gavel to former Chairman Vernon commemorating his service as Commission Chairman.

A. Approval of Minutes of April 24, 1986 Commission Meeting

MOTION - Dyer, second - Maghakian, carried unanimously for approval of the minutes of the April 24, 1986 regular Commission meeting at the Sacramento Hilton Hotel in Sacramento.

B. Approval of Consent Calendar

MOTION - Maghakian, second - Wasserman, carried unanimously to approve the following Consent Calendar:

B.1. Receiving Course Certification Report

Since the April meeting, there have been 29 new certifications and 44 decertifications.

B.2. Receiving Information on New Entry Into POST Reimbursement Program

It was reported that the Alameda-Contra Costa Transit District has met the requirements and has been accepted into the POST Regular Program.

B.3. Affirming Commission Policy Set by Action at April 1986 Commission Meeting

Consistent with Commission instructions, statements of policy at a Commission meeting are submitted for affirmation by the Commission at the next meeting. The following policy statement was developed at the April 24, 1986 Commission meeting:

The Commission encourages nonreimbursable state agencies to use the POST Reading and Writing tests and provide sufficient staff support to ensure that such testing is conducted in accordance with POST testing procedures. The Commission will not, however, underwrite the costs for such testing.

B.4. Approving Resolution Commending POST Management Fellow Tom Hood

A Resolution was approved commending Sergeant Tom Hood of the Berkeley Police Department for his service as a POST Management Fellow in updating the POST investigative guidelines and curriculum for child abuse, neglect and sexual exploitation of children, as well as updating guidelines on general sexual assault.

B.5. Receiving Financial Report - Fourth Quarter FY 1985/86

This report provided financial information relative to the local assistance budget through June 30, 1986. The report was presented and accepted and is on file at POST headquarters.

C. Request from Los Angeles County Police Chiefs' Association that the Commission Pay for Professional Facilitators in Area Executive Workshops

Chief Bill Martin of the Downey Police Department spoke before the Commission representing the Los Angeles County Police Chiefs' Association. Chief Martin reported that during September of last year, POST conducted a Chiefs and Sheriffs Regional Training Seminar for this Association. As a result of this training program, the Association concluded that a series of

workshops is needed to study the problems which were identified. It was the request of the Association that the Commission change its policy to allow for the funding of the salary for a facilitator to carry on quarterly, one-day workshops so that the work started in the Chiefs and Sheriffs Regional Training Seminar could be completed.

Chief Michael McCrary of the Signal Hill Police Department and Vice President of the Los Angeles County Police Chiefs' Association also addressed the Commission. Chief McCrary reported that the original training seminar was extremely productive and that the follow-up workshops are essential.

Staff reported that the current policy regarding Area Chief Executive Workshops does not allow for the funding of a professional facilitator. Historically, the Commission has expressed concerns and reservations about creating programs that rely upon the employment of private consultants and, therefore, the request from the Los Angeles County Chiefs' Association for a private facilitator to act in a consulting capacity to identify problems and assist in their resolution is in conflict with current Commission policy.

While recognizing that problem solving workshops can be very beneficial, concern was expressed by the Commission over fiscal impact across the State if a policy change were adopted to subvene private consultants as workshop facilitators. The Commission recognized a fiduciary responsibility to the Peace Officer Training Fund, and if funding were authorized in this instance, a precedent would be set for further requests for funding of contracts for private consultants from other areas of the State and for other types of programs.

During discussion it was noted that, as a new fiscal year has begun, the Los Angeles County Chiefs' Association is now eligible for another Chiefs and Sheriffs Regional Training Seminar. Therefore, the needs of the Association to continue the program begun during the last fiscal year could be met while staff researched the fiscal impact and other issues pursuant to the request before the Commission.

MOTION - Wasserman, second - Grande, carried unanimously to direct staff to explore the question of funding county chief of police and sheriff problem solving workshops and report back with cost impacts and recommendations at the October 1986 Commission meeting.

D. Determination of Eligibility to Participate in the POST Specialized Program - Los Angeles Community College District

Staff presented a report indicating that POST has been consulting with representatives of the Los Angeles Community College District since 1982 in an effort to gain compliance with minimum standards for training in accordance with Commission Regulations. Improvements have been made; however, one officer (Officer Edward M. Jackson) who was hired on September 8, 1981, continues to serve as a peace officer without having met the requirements of completion of the Basic Course, thus making the Los Angeles Community College District in voluntary non-compliance with Commission Regulations.

Mr. Daniel Means, Senior Director for Staff Relations, Los Angeles Community College District, addressed the Commission. Mr. Means testified that Officer Jackson has been placed on "illness leave" and will not be allowed to return to duty as a peace officer until such time as the officer is determined by a physician to be physically fit and has successfully completed a POST-certified Basic Course.

Discussion was held, and the following action was taken:

MOTION - Block, second - Wasserman, carried (Maghakian - No) to:

1. Determine the Los Angeles Community College District to be in compliance with Commission Regulations on the condition that the peace officer credentials of Officer Edward M. Jackson be retrieved and a certification to that effect be submitted to the POST Commission within 14 days, with the understanding that failure to do so will result in automatic removal of the Los Angeles Community College District from the POST Specialized Program; and
2. Direct staff to conduct a compliance inspection of the Los Angeles Community College District and report findings to the Commission at its July 1987 meeting.

E. Report and Recommendations on Model Advanced Officer Course

Pursuant to Commission direction received at the January 1986 Commission meeting, three pilot presentations of a Model Advanced Officer (AO) Course were conducted. Staff presented a report on the results of the pilot testing conducted at Butte Center, Los Angeles County Sheriff's Department, and the San Diego County Sheriff's Department. The results indicated that the training was highly successful.

To accommodate higher-than-normal instructional costs (multiple instructors, role players, evaluators, specialized equipment and facilities), Reimbursement Plan I (tuition, salary, travel and per diem) was approved for the pilot presentations; however, a way to reduce overall cost needs to be found if presentation of the Model AO Course is to be continued or expanded.

Staff proposed that a policy be implemented to offset tuition costs by eliminating salary reimbursement for the Model AO Course only. This would allow agencies to choose between the regular AO Course with salary, etc. reimbursement at an average amount of \$345, or the Model POST AO Course with tuition (but no salary) reimbursement ranging between \$400-\$500.

MOTION - Vernon, second - Block, carried unanimously to approve the Model Advanced Officer Course as described in the course outline (see attached) for presentation under Reimbursement Plan III on a continuing basis, and to direct staff to report to the Commission as appropriate.

F. Child Abuse/Sexual Assault Investigation Guidelines and Curriculum Approved

Staff reported that Penal Code Sections 13516 and 13517 (1985) require POST to prepare guidelines establishing standard procedures which may be followed by police agencies in the detection, investigation and response to sexual assault cases and cases in which a minor is a victim of an act of abuse, neglect, sexual abuse or sexual exploitation. The Commission has published such guidelines in the past; however, because of the recommendations of the Attorney General's Commission on the Enforcement of Child Abuse Laws (CECAL) in 1985 and because of changes in laws, there is a need to update and revise these guidelines and related curriculum. With the assistance of POST Management Fellow Tom Hood and the input of an advisory committee of experts, revised guidelines were developed.

The Commission was asked to approve the revised Guidelines for Sexual Assault Investigation and Guidelines for the Investigation of Child Physical Abuse and Neglect, Child Sexual Abuse and Exploitation, as well as revised curricula for the Basic Course and the advanced Child Abuse Investigation Course.

MOTION - Block, second - Maghakian, carried unanimously to approve the revised Child Abuse/Sexual Assault Investigation Guidelines and curriculum to become effective immediately.

G. In-Service Driver Training Study

Staff reported on the results of a study conducted on in-service driver training problems and issues. After researching in-service driver training needs and possible delivery methods, an 8-hour Driver Awareness Course was developed with the assistance of agency supervisors as instructors. A 32-hour Driver Awareness Instructor's Course was also designed and proposed for reimbursement under Plan III. In addition, staff recommended that the presentation of six current in-service Emergency Vehicle Operations (EVO) courses be continued under POST Reimbursement Plan IV.

Discussion was held, during which concern was expressed by Commissioner Pantaleoni that non-police agency instructors should also be allowed to receive driver awareness instructor training. The following action was taken:

MOTION - Pantaleoni, second - Wasserman, carried unanimously to:

1. Approve the Driver Awareness training as set forth in the staff report;
2. Continue to restrict Driver Training-EVO (current in-service) to Reimbursement Plan IV; and
3. Approve the Driver Awareness Instructor's Course as reimbursable under Plan III, as well as provide a means for non-police agency instructors to attend the Driver Awareness Instructor's Course through Letter of Agreement or another appropriate procedure.

H. Reading/Writing Test Report Received

Pursuant to direction given at the July 1985 Commission meeting, staff continued to study the impact of the current entry-level selection reading and writing testing requirements. Results of this study indicated the following:

1. A continued decline in the test scores for job applicants.
2. A leveling off of test scores for academy recruits (after increases in each of the previous two years).
3. Increased pretesting of nonaffiliated academy cadets, and higher test scores for those nonaffiliated cadets who were prescreened.
4. A 12 percent increase in the number of agencies and academies using the POST test for prescreening, and a 21 percent increase in the number of POST tests administered.
5. A reduction in the average turnaround time for scoring and mailing of results on the POST tests from 4.4 working days to 2.5 working days.
6. Continued voluntary setting of minimum cutoff scores on the POST tests that meet or exceed the POST recommended minimum.

The Commission expressed its concern over the continuing decline in reading and writing test performance. It was noted by Commissioner Montenegro that reading and writing deficiencies are a serious problem nationwide and that educators are seeking ways to improve the situation. Chairman Wilson noted that the Commission's Long-Range Planning Committee asked that a letter be sent to Bill Honig, State Superintendent of Public Instruction, reflecting information POST has gathered regarding reading and writing skills levels (indicating the downward trend regarding these skills among job applicants).

MOTION - Wasserman, second - Maghakian, carried unanimously to leave unchanged current Commission policy with respect to reading and writing testing, and to instruct staff to continue to monitor reading and writing test scores during the next year and report findings to the Commission at its July 1987 meeting.

I. Contract for Revision of Medical Screening Manual Approved

Staff reported that the POST Medical Screening Manual for California Law Enforcement, published in 1977, is in need of substantial revision. Because the legal and medical expertise needed to revise the manual does not exist at POST, a Request for Proposals (RFP) to revise the manual was issued in early May. Only one firm, Occu-Med, Inc., responded to the RFP, and this firm's proposal was subsequently found to be acceptable by a review committee.

Approval was requested from the Commission to enter into a contract with Occu-Med, Inc. in the amount of \$34,000 to revise the POST medical screening manual.

MOTION - Ussery, second - Maghakian, carried unanimously by roll-call vote to authorize the Executive Director to sign a contract with Occu-Med, Inc. in the amount of \$34,000 to revise the POST medical screening manual.

J. San Francisco Patrol Special Officers

Pursuant to Commission direction given at the April 1986 Commission meeting, staff further reviewed the issue raised by the San Francisco City Attorney on the status of the Patrol Special Officers (PSOs), their assertion that PSOs have PC 830.1 status, and the request that the Commission apply requisite selection and training standards.

The report presented by staff indicated there was no new evidence in support of PC 830.1 status for San Francisco Patrol Special Officers.

Following the staff report, the Commission received testimony from several parties.

Commander Richard Klapp, representing San Francisco Police Chief Frank M. Jordan, testified that the staff recommendation for denial of PC 830.1 status is parallel to that position expressed by Chief Jordan. Commander Klapp also assured the Commission that, should the Commission approve the staff recommendation to decline to define the status of this position, this matter would be brought before the San Francisco Police Commission on a priority basis, and Chief Jordan would advocate whatever action necessary to bring Patrol Special Officers into compliance with State law and the Regulations of the POST Commission.

Mr. Gene Elliot, Deputy City Attorney, City and County of San Francisco stressed that the issue before the Commission was not whether Patrol Special Officers are different from regular members of the San Francisco Police Department, but whether PSOs are peace officers of the City and County of San Francisco. Further testimony was given to support the City Attorney's contention that PSOs are police officers and peace officers of the City and County of San Francisco and their contention that the Commission has a ministerial duty to recognize them as such and treat them accordingly.

Steven Diaz, attorney for the San Francisco Patrol Special Police Officers Association, presented twenty-eight documents for the Commission's consideration and responded to questions from the Commission. In addition, Mr. Diaz agreed within two weeks to provide the Commission with a letter identifying the twenty-eight documents and the reasons why those specific documents were submitted.

Due to the threat of litigation by the City of San Francisco, it was the decision of the Commission to meet in executive session to confer with legal counsel.

Upon the conclusion of the executive session, and upon reconvening the meeting, Chairman Wilson reported that it was the desire of the Commission to conduct an in-depth review of the documents received at this meeting.

Following this review and a recommendation from staff, the Commission will make a decision at the October 23, 1986 meeting. The Commission will receive no further public testimony at that meeting.

K. Extending Contract for Driver Training Project Management Fellow

At the July 1985 Commission meeting, the Commission approved one-year service contracts for three consultants to serve as POST Management Fellows pursuant to the FY 1985/86 BCP on specialized training. Subsequently, contracts were entered into with two agencies for Management Fellows to work on the shoot/no-shoot and driver training simulator projects. Staff reported that work on these projects is progressing well; however, additional time will be necessary for completion.

Approval was requested from the Commission to extend the contract for the services of Lieutenant Howard Holts (Los Angeles County Sheriff's Department) as a POST Management Fellow for an additional eight months to conduct the follow-up work on both the driver training and shoot/no-shoot simulator projects.

MOTION - Vernon, second - Wasserman, carried unanimously by roll-call vote to approve an eight-month contract extension with the County of Los Angeles for the full-time services of Lt. Howard Holts at a cost of \$49,400.

L. Grant Application Approval for Driver Training Simulator

The Commission authorized a driver training research study which included researching state-of-the-art advancements in driving simulators and determining the feasibility of POST's involvement in support of such enhancements. The feasibility of using simulators for driver training has reached a point where engineers and other experts from the simulation field must be involved to determine the precise capabilities and technical specifications to meet training objectives.

Before proceeding to contract for the development of a capabilities study, approval was requested from the Commission for authorization to seek out supplementary funding possibilities and to submit grant applications for a driver training simulation system.

MOTION - Maghakian, second - Block, carried unanimously to authorize the Executive Director to seek appropriate potential funding sources and to submit grant applications for a driver training simulation system.

M. Recommendation for Funding and Authority to Develop Concept and Specifications for Strategic, Tactical and Critical Incident Simulation Gaming

The Commission had earlier expressed an interest in proceeding with the development of a full range of decision-making gaming on a computer to provide the opportunity for executives and senior managers in law enforcement to work through strategic planning alternatives and explore the impacts of various decisions.

Approval was requested from the Commission for authorization to contract with outside consultants having appropriate expertise, at a cost not to exceed \$100,000, to define and draft justifications and specifications for such a system. Staff will also explore the possibility of joint funding as well as expanding the program beyond California with the accrual of appropriate royalty benefits.

MOTION - Wasserman, second - Vernon, carried unanimously by roll-call vote to authorize the Executive Director to hire through contract for the expertise needed to complete a study to develop the concept and specifications for strategic, tactical and critical incident simulation gaming at a cost not to exceed \$100,000.

COMMITTEE REPORTS

N. Finance Committee Report Received

Commissioner Wasserman, Chairman of the Commission's Finance Committee, reported that the Committee met on July 8, 1986 in Los Angeles.

The Finance Committee concurred with the recommendation of the Long-Range Planning Committee that POST staff contact the appropriate state agency to request that a review be conducted to determine why Penalty Assessment revenues are lower than forecasted.

The Finance Committee recommended a 40 percent base salary reimbursement rate for FY 1986/87. As in the past, this will allow sufficient funds to permit the Commission to consider increases in salary percentage rates during the year, depending on training volumes and level of revenue.

MOTION - Wasserman, second - Grande, carried unanimously to set the base rate for salary reimbursement at 40 percent for FY 1986/87

Commissioner Wasserman reported that reimbursement policies have been adopted over the past 25 years which cumulatively represent the current reimbursement program of the Commission. The Finance Committee proposed that a study be done to ensure that the overall reimbursement policy is consistent with the requirements and mandates of the Commission.

MOTION - Wasserman, second - Grande, carried unanimously to direct staff to prepare a report on technical corrections to the reimbursement structure to assure simplicity and equity in which training-related costs for courses are reimbursed under the various plans.

The Finance Committee reviewed proposed Budget Change Proposals and presented its recommendations to the Commission.

MOTION - Wasserman, second - Maghakian, carried unanimously to approve the submission of a Budget Change Proposal to the Department of Finance to make permanent a budgeted but temporary Staff Services Analyst position to support the Basic Course Waiver Process, with salary and benefits of \$30,000 per year.

MOTION - Wasserman, second - Block, carried unanimously to approve the submission of a Budget Change Proposal to the Department of Finance to establish a Center for the Study of Peace Officer Killings and Uses of Force, to be staffed by a Law Enforcement Consultant II with salary and administrative costs of \$98,000 per year. This program will have a three-year sunset from the Commission's standpoint to give the Commission the option of requesting a negative Budget Change Proposal, should the Commission not wish to continue the program.

MOTION - Wasserman, second - Montenegro, carried unanimously to submit a Budget Change Proposal to the Department of Finance for a Management Services Technician position to provide analytical support for the Center for Executive Development, with salary and benefits of \$35,000 per year.

The Committee also found that the State Auditor's recommendations outlined in their report based on the review of the system of internal accounting control and fiscal procedures of POST have been substantially complied with. The auditor will be invited to return to POST headquarters later this year to review the implementation of the recommendations; the consensus of the Committee was that the practice of inviting auditors to return should be continued.

0. Long-Range Planning Committee Report Received

Chairman Wilson, Chairman of the Commission's Long-Range Planning Committee, reported that the Committee met on July 8, 1986 in Los Angeles.

Concern was expressed by the Committee over declining revenues to the Penalty Assessment Fund. Staff was directed to prepare a letter for the Chairman's signature to be sent to the appropriate state authority to request that audits be conducted to determine more fully the reason for this problem.

Staff was also directed to research whether the Gann revenue limitation would apply only to agencies funded from the General Fund or to agencies funded by other means as well.

In response to a detected pattern of declining scores on applicant reading and writing tests, staff was directed to draft a letter to Bill Honig, Superintendent of Public Instruction, reflecting information POST has gathered regarding reading and writing skill levels (indicating the downward trend of reading and writing skills among job applicants).

The Long-Range Planning Committee also expressed concern over the possible need in the future to raise requirements for physical abilities testing; however, no formal action was taken at the Committee meeting.

The Committee was informed that the Fair Employment and Housing Commission will be holding hearings to consider incorporating mental conditions into their handicap regulations. The Committee proposed that POST staff may wish to testify at those hearings.

The Long-Range Planning Committee recommended that, beginning now and continuing over a period of several years, staff study the components of training, including matching the most effective methods of training with the subjects to be taught, while giving consideration to instructors, facilities and student learning capabilities.

MOTION - Vernon, second - Wasserman, carried unanimously to direct staff to pursue a training methods effectiveness study.

The Committee received the report of the Attorney General's Commission on Racial, Ethnic, Religious and Minority Violence. This report was discussed at length; however, it was felt by the Committee that this matter needed further advisement and continued study. No action was taken at this Committee meeting.

The Governor's Task Force on Toxics, Waste and Technology was also discussed and it was the feeling of the Committee that law enforcement training in this subject area should be maintained and improved upon.

Victim/witness sensitivity was discussed by the Committee. It was the feeling of the Committee that one of the keys to continuing public support for the law enforcement profession depends on how law enforcement personnel demonstrate sensitivity to circumstances faced by victims/witnesses.

Commissioner Vernon presented a report on the importance of emphasizing the principles and values vital to the integrity of the law enforcement profession.

MOTION - Ussery, second - Wasserman, carried unanimously to direct staff to develop a training block consisting of ethics, principles and values, expanding upon Commissioner Vernon's presentation, and to present this training package not only for chief executives, but for law enforcement personnel throughout the ranks as well.

P. Legislative Review Committee Report Approved

Commissioner Block, Chairman of the Legislative Review Committee, reported that the Committee met just prior to this general session and recommended the following on current legislation:

MOTION - Ussery, second - Grande, carried unanimously to adopt the Legislative Review Committee's position on the following bills:

SCR 67	Physical Fitness Standards	Change from OPPOSE to NEUTRAL
AB 49	Hazardous Material Training	NEUTRAL
SB 1020	Constable Training Exemption	OPPOSE
SB 1789	Constable Training Requirement	NEUTRAL

Q. Organizational and Personnel Policies Report Approved

Commissioner Montenegro, Chairman of the Organizational and Personnel Policies Committee, reported that the Committee met via telephone conference call on July 15, 1986 and made the following recommendations to the Commission:

MOTION - Grande, second - Ussery, carried unanimously to approve the following recommendations of the Organizational and Personnel Policies Committee:

1. In response to occasional requests, it is the policy of the Commission that exemplary law enforcement service be recognized and appropriate resolutions, letters or other forms of expression be presented to honorees at the time of retirement. The Chairman of the Commission and the Executive Director shall determine and issue the appropriate type of recognition, and shall advise the Commission as periodically indicated.

It is not the Commission's intent that the policy obligate the Commission to recognize all retiring law enforcement officials; it is meant to be used as a guideline when occasional requests are received for an expression of recognition to a retiring law enforcement official.

2. Continue the current vacation allotment of 33 days per year with a cumulative cap of 60 days for the Executive Director, pursuant to Commission Regulation Section 1017.

R. Command College Ad Hoc Committee Report Approved

Commissioner Wasserman reported that as a result of meetings with the California Police Chiefs Association Executive and Training Committees, the following Command College procedures are recommended:

1. Chiefs and sheriffs would participate in the assessment center process with the general applicant population, to be effective for classes beginning after July 1, 1988.
2. Continue to reserve five positions for chiefs of police and sheriffs in each Command College class.
3. After successful completion of the assessment center and acceptance to attend a Command College class, POST staff notification of the City Manager or City/County Administrator shall be at the discretion of the chief or sheriff.
4. Chiefs and other prospective Command College participants are encouraged to contact graduates of the Command College classes to obtain an understanding of the commitment that the program requires.
5. In response to a concern that participants in the Command College provide a return on the investment, a statement should be included on applications of the candidate's intent to remain in public law enforcement for three years following graduation.
6. Sheriffs should be included in all of the recommendations.

MOTION - Maghakian, second - Block, carried unanimously to accept the report of the Command College Committee.

S. Field Needs Survey Committee Report Received

Commissioner Maghakian, Chairman of the Field Needs Survey Ad Hoc Committee, reported that the Committee met on July 23, 1986 in San Diego. At that meeting, staff reported on the results of the pre-test of the survey documents and outlined plans for the full survey.

Of the total 502 surveys that were mailed to representatives from the seven departments participating in the pre-test, 333 were completed and returned (representing a return rate of 66%). Overall, the survey was well received and only minor modifications to the survey document were suggested by the Committee.

The final survey documents will be submitted for printing the week of July 28. Printing will take approximately four to six weeks, and the surveys will be mailed out in early to mid September. It is hoped that a report of preliminary findings will be available for review by the Committee just prior to the October 1986 Commission meeting.

MOTION - Ussery, second - Wasserman, carried unanimously to approve the report of the Field Needs Survey Committee.

T. Advisory Committee Report Received

Mike Sadleir, Chairman of the POST Advisory Committee, reported that the Committee met on July 23, 1986 in San Diego.

Pursuant to direction given at the July 1985 POST Commission meeting, the Advisory Committee recommended to the Commission that POST establish and set selection and training standards for all dispatchers who have a primary responsibility to law enforcement agencies.

Copies of a survey document distributed by the Subcommittee on Dispatcher Selection/Training Standards and the survey results will be sent to Commissioners.

Chief Lowenberg requested that an ad hoc committee be appointed to deal with specific issues relating to the establishment of dispatcher selection and training standards. The committee should be made up of field personnel as well as representative(s) of the Advisory Committee's subcommittee involved in the survey.

As the Advisory Committee has now completed all of the assignments made by the Commission, Chairman Sadleir expressed the Committee's desire to receive additional assignments. Discussion ensued regarding possible topics for study by the Advisory Committee, and the following action was taken:

MOTION - Maghakian, second - Grande, carried unanimously to assign to the Advisory Committee the following tasks:

1. Review the current efforts of the Commission relating to hazardous materials training for law enforcement personnel.

2. Review the issue of statewide accreditation of law enforcement agencies as an alternative to the national accreditation program. (This issue will also be considered by the Commission's Long-Range Planning Committee.)
3. Review the current efforts of the Commission relating to how effectively law enforcement personnel are being trained in the values and principles of the profession.
4. Discuss the possible potential for alcohol and substance abuse by law enforcement personnel in California and suggest ways the Commission may assist local agencies in addressing possible problems.

OLD/NEW BUSINESS

U. Advisory Committee Members Reappointed

MOTION - Vernon, second - Pantaleoni, carried unanimously to approve the reappointment of the following Advisory Committee members:

Ronald Lowenberg - California Police Chiefs Association
Joseph McKeown - California Academy Directors' Association
Don Brown - California Organization of Police and Sheriffs
Michael Sadleir - California Specialized Law Enforcement

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

October 23, 1986, Griswold's Inn, Claremont
January 22, 1987, Hyatt Islandia, San Diego
April 23, 1987, Sacramento Hilton Hotel, Sacramento
July 23, 1987, Bahia Hotel, San Diego

ADJOURNMENT

MOTION - Maghakian, second - Wasserman, carried unanimously to adjourn the meeting at 2:20 p.m.



KATHERINE D. DELLE
Executive Secretary

Commission on Peace Officer Standards and Training

POST MODEL ADVANCED OFFICER COURSE

Course Outline

POST ADMINISTRATIVE MANUAL REFERENCE

Commission Procedure D-2 defines the minimum requirements for Advanced Officer Courses. This course provides an alternative to the existing Advanced Officer Course.

LEGAL REFERENCE

None

BACKGROUND

This curriculum is based upon the need to have a POST-specified Advanced Officer Course that is considered by POST and California law enforcement as the desirable refresher training needed for officers and supervisors with field assignments that should be completed once every two years. Particular emphasis is placed on officer safety and other subject matter that address agency liability issues. The course is designed to maximize trainee participative activities and evaluations, thus minimizing lecture format. The intent of this course is to afford opportunity for trainees to experience realistic win-win field exercises so as to gain greater ability and confidence. In a non-threatening and non-embarrassing manner, trainees will be evaluated and given on-the-spot remediation for deficiencies. Non-remediated deficiencies will be reported to the employing agency. Trainees are expected to participate and pass each proficiency. Student proficiency is expected to be demonstrated at the specified level. Scenarios, using role players and evaluators, will primarily involve typical situations and to a lesser extent, the unusual type calls. Scenarios will involve trainees in the roles of "handling officer" and "backup officer." Use of proper tactics to avoid injury and death will be stressed.

CERTIFICATION INFORMATION

Reimbursement is provided under Plan III. To assist presenters and instructors, the POST Basic Course Unit Guides and Scenario Manual are available upon request and contain more detailed information on this curriculum. Course hours may vary from 24-40 depending upon locally determined curriculum. Maximum course attendees is 24.

TOPICAL OUTLINEHourly Distribution(Core Curriculum)

1.0	Course Overview/Administrative Issues	1
2.0	Legal Issues Relating to Liability	2
3.0	Narcotics Update	3
4.0	Officer Safety and Field Tactics	12
5.0	Arrest and Control/Weaponless Defense/ Weapons Retention	4
6.0	Interpersonal Communication Skills	2
7.0	Locally Determined Curriculum (Restricted to Basic Course Subjects)	16
Total Hours		<hr/> 24-40*

*Evaluation of Trainee Proficiencies
Is Done Within Each Instructional Block

LEARNING GOALS

1.0 COURSE OVERVIEW/ADMINISTRATIVE ISSUES

- 1.1 The student will understand course participation and performance requirements.

2.0 LEGAL ISSUES RELATING TO LIABILITY

- 2.1 The student will develop an understanding of civil liability laws impacting the officer and employing agencies.
- 2.2 The student will become familiar with the most recent case decisions holding individual officers and/or employing agencies liable for negligence.

3.0 NARCOTICS UPDATE

- 3.1 The student will become familiar with recent criminal activities related to narcotics including:
- a. Recent law changes and case decisions
 - b. Newest forms of substance abuse
 - c. Current drug terminology
 - d. Criminal deception tactics
 - e. Officer safety

4.0 OFFICER SAFETY AND FIELD TACTICS

- 4.1 The student will develop an understanding of current officer safety issues including:
- a. Incidents of officer involved-shootings
 - b. Assaults on peace officers in California
 - c. Officer attitudes
 - d. Officer behavior and over-reaction
 - e. Need for balanced perspective
 - f. Prevention
 - g. Physical conditioning
- 4.2 The student will understand the importance of proper tactics including:
- a. Initial approach and planning
 - b. How to identify hazardous situations
 - c. Backup support
 - d. When to back off and regroup
- 4.3 The student will participate in small group discussions in reviewing recent case examples (media) and determining appropriate officer response.
- 4.4 When an officer is shot the student will understand:
- a. The psychological effect of being shot or injured
 - b. How to cope with trauma situations
 - c. How to maintain calm presence
 - d. The importance of not over-reacting
 - e. The type of information to broadcast
- 4.5 The student will develop an understanding of how to handle and provide backup support including:
- a. Avoiding crossfire deployment
 - b. Gas, helicopters, canine
 - c. Suspicious person
 - d. Robbery in progress
 - e. Routine car stop
 - f. Neighborhood disturbance
 - g. Others (at the option of each presenter)
 - Mentally disturbed person
 - Prowler
 - Landlord-Tenant dispute
 - Bar disturbance with weapons
 - Open door in business
 - Warrant service
 - Drunk call

4.6 The student will demonstrate proficiency in using proper field tactics for the following situations:

- a. Burglary in progress
- b. Felony vehicle stop

5.0 ARREST AND CONTROL/WEAPONLESS DEFENSE/WEAPONS RETENTION

5.1 The student will demonstrate proficiency on the following arrest situations:

- a. Search single and multiple suspects
- b. Cover officer
- c. Visual search, cursory search, felony search
- d. Use of restraint devices (single and multiple suspects)
- e. Control hold
- f. Take-down tactic
- g. Carotid restraint
- h. Front and rear gun take-aways
- i. Recognized method of weapons retention

6.0 INTERPERSONAL COMMUNICATIONS

6.1 The student will understand the fundamental dynamics involved in communicating with others including:

- a. Why people generally react properly to the positive approach
- b. How the negative approach can be a vicious cycle
- c. How to motivate people
- d. Listening techniques
- e. Advantages to officer for using good communication skills

6.2 The student will understand strategies to diffuse potentially violent persons including:

- a. Avoidance of trigger words and behavior
- b. Gentle, friendly, and firm demeanor

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Course Certification/Decertification Report		Meeting Date October 23, 1986
Bureau Training Delivery Services	Reviewed By <i>DS</i> Darrell L. Stewart, Chief	Researched By Rachel S. Fuentes <i>RF</i>
Executive Director Approval <i>Mouman C. Behm</i>	Date of Approval 10-2-86	Date of Report September 30, 1986
Purpose: <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input checked="" type="checkbox"/> No		

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

The following courses have been certified or decertified since the July 24, 1986 Commission meeting:

CERTIFIED

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
1.	Firearms Instructor Course	Calif. Dept. of Forestry	Technical	IV	\$ 768
2.	Advanced Officer Course (FTC)	San Bernardino Co. S.D.	A0	II	66,960
3.	Interview & Inter. Techniques	Behavior Analysis Training Institute	Technical	III	106,936
4.	SWAT Munitions Training	Resource and Referral	Technical	III	37,746
5.	Managing Innovation	PMW Associates	Mgmt. Sem.	III	21,000
6.	Advanced Hostage Negotiation	Chapman College	Technical	III	21,600
7.	Fitness Advisor	NCCJTES, Butte Center	Technical	II	59,200
8.	Data Processing - L. E. Managers	Search Group, Inc.	Mgmt. Sem.	III	64,260
9.	Vehicle Occupant Protection	Office of Traffic Safety	Technical	IV	27,000
10.	Incident Command Systems	San Bernardino Co. S.D.	Exec. Sem.	III	27,822
11.	Domestic Violence	Rio Hondo RTC	Technical	IV	3,420
12.	Defensive Tactics Instructor	Los Angeles Co. S.D.	Technical	IV	60,800

CERTIFIED - Continued

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
13.	Advanced Financial Investigation	DOJ Advanced Training Center	Technical	IV	8,900
14.	Data Processing - L.E. Managers	New Horizons Computer Learning Ctr.	Mgmt. Sem.	III	17,280
15.	Computer Training, Hands On	New Horizons Computer Learning Ctr.	Technical	III	60,120
16.	Instructor Development	FBI, San Francisco	Technical	IV	5,353
17.	Hostage Situation Mgmt/Dispatchers	FBI, San Francisco	Technical	IV	1,181
18.	Hostage Negotiation	FBI, San Francisco	Technical	IV	1,606
19.	Training Managers' Update	Justice Training Institute	Technical	III	29,601
20.	Reserve Training Module C	Yuba College	Reserve Training	N/A	-0-
21.	Report Writing	Orange County S. D.	Technical	IV	6,000
22.	Domestic Violence	Sunnyvale Dept. of Public Safety	Technical	IV	2,380
23.	SWAT, Commanders	San Joaquin Delta College	Technical	IV	7,704
24.	SWAT, Advanced	San Joaquin Delta College	Technical	III	12,330
25.	Drug Alcohol Recognition Training	Los Angeles Co. Sheriff's Dept.	Technical	IV	10,800
26.	High Technology Theft Prevention	Los Angeles Co. Sheriff's Dept.	Technical	IV	5,040
27.	Effective Mgmt. Communications	Britt Comm. Service	Mgmt. Sem.	III	24,752
28.	Traffic Accident Investigation	Napa Valley College	Technical	II	8,388
29.	Arrest & Firearms (P. C. 832)	Long Beach Police Department	P. C. 832	IV	-0-

DECERTIFIED

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
1.	Intro. to Computers in L.E.	Search Group, Inc.	Technical	III	-0-
2.	Arrest & Firearms (P. C. 832)	San Francisco County S.D.	P. C. 832	IV	-0-
3.	Economic Crime	Southwest RTC	Technical	III	-0-
4.	Reserve Training Module A, B, C	San Luis Obispo Co. S.D.	Reserve Training	N/A	-0-
5.	Arrest & Firearms (P. C. 832)	FBI, Los Angeles	P. C. 832	IV	-0-
6.	Reserve Training Module A, B	San Bernardino County S.D.	Reserve Training	N/A	-0-
7.	Reserve Training Module B	Ventura P. D.	Reserve Training	N/A	-0-
8.	Arrest & Firearms (P. C. 832)	Ventura P. D.	P. C. 832	IV	-0-
9.	Reserve Training Module C	Santa Barbara S.D.	Reserve Training	N/A	-0-
10.	Personal Stress Management	CSU, Long Beach	Technical	III	-0-
11.	Officer Safety/Field Tactics-Instr.	CSTI	Technical	III	-0-
12.	Techniques for Major Events	CSTI	Technical	III	-0-
13.	Jail Operations - 40 Hours	Orange County Co. Sheriff's Dept.	Technical	II	-0-
14.	Jail Operations - 80 Hours	NCCJTES, Butte Center	Technical	II	-0-
15.	Jail Operations - 40 Hours	NCCJTES, Butte Center	Technical	II	-0-
16.	Jail Operations - 40 Hours	NCCJTES, Sacto Public Safety Ctr.	Technical	II	-0-
17.	Jail Operations - 40 Hours	Sacramento County Sheriff's Dept.	Technical	II	-0-
18.	L.E. Occupant Protection	Glendale College	Technical	IV	-0-

DECERTIFIED - Continued

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
19.	Officer Safety/ Field Tactics	NCCJTES, Butte Center	Technical	IV	-0-
20.	Interrogation Techniques	NCCJTES, Santa Rosa Center	Technical	IV	-0-

TOTAL CERTIFIED 29

TOTAL DECERTIFIED 20

TOTAL MODIFICATIONS 05

755 courses certified as of 09/30/86
~~148~~ presenters certified as of 09/30/86

COMMISSION AGENDA ITEM REPORT

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Present a Resolution commending Arthur R. McKenzie, former POST Commissioner, Chief of Police and City Manager of Costa Mesa.

Arthur R. McKenzie served with the Los Angeles Police Department for ten years. He served as Chief of Police and City Manager for the City of Costa Mesa for twenty years. He served as a POST Commissioner from 1968 to 1971. Chief McKenzie medically retired from the City of Costa Mesa November 12, 1971.

POST staff received information from members of the Costa Mesa Police Department indicating that Chief McKenzie did not receive acknowledgement by the Commission of his retirement in 1971. We have been requested to issue a Resolution to Chief McKenzie and acknowledge his many years of dedicated service to the law enforcement profession.

The Commission approve a Resolution commending Chief Arthur R. McKenzie for his many many years of dedicated service.



Resolution OF THE *Commission on Peace Officer Standards and Training* STATE OF CALIFORNIA

WHEREAS, Arthur R. McKenzie has served the people of California with a most distinguished career in law enforcement and public administration for over 30 years, and

WHEREAS, Arthur R. McKenzie began his law enforcement career in 1941 and served for ten years with the Los Angeles Police Department, and

WHEREAS, Arthur R. McKenzie served as Chief of Police and City Manager of the City of Costa Mesa for over 20 years, and

WHEREAS, Arthur R. McKenzie was appointed by the Governor of California and served as a Commissioner for the Commission on Peace Officer Standards and Training from 1968 to 1971 and was a most ardent supporter of the Commission on Peace Officer Standards and Training and of the law enforcement profession throughout his career, and

WHEREAS, Arthur R. McKenzie has devoted countless hours of his time to numerous civic, professional, and fraternal associations, and holds life memberships in numerous public service organizations; now,

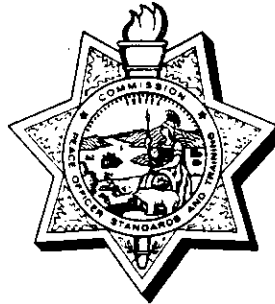
THEREFORE, BE IT RESOLVED, That the members of the Commission on Peace Officer Standards and Training extend their highest commendation to Arthur R. McKenzie; and,

FURTHER BE IT RESOLVED, That the members of the Commission on Peace Officer Standards and Training express their sincere appreciation for the leadership he provided his contemporaries in law enforcement during his career and extend to Arthur R. McKenzie best wishes during his retirement.

Chairman

Executive Director

October 23, 1986
Date



Resolution OF THE *Commission on Peace Officer Standards and Training* STATE OF CALIFORNIA

WHEREAS, Sheriff Ben Clark of Riverside County is a nationally recognized law enforcement administrator and innovator; and

WHEREAS, Sheriff Clark has distinguished himself as a progressive leader during his 36 years of service to California law enforcement; and

WHEREAS, His efforts to improve the selection and training standards of peace officers within this State were key factors in establishing the Commission on Peace Officer Standards and Training (POST); and

WHEREAS, He has served as both a POST Commissioner and as a member of the POST Advisory Committee; and

WHEREAS Sheriff Clark is retiring from law enforcement and active participation in POST activities; now, therefore be it

RESOLVED, That Sheriff Ben Clark is hereby commended for his long and dedicated service to the citizens of this State and to law enforcement; and be it

RESOLVED further, That the Commission on Peace Officer Standards and Training (POST) expresses its sincerest appreciation for the valued leadership and guidance afforded by Sheriff Clark during his affiliation with this organization; and be it

RESOLVED further, That Sheriff Clark is wished a healthy and fruitful retirement to cap his illustrious and productive career in public service.

Chairman

Executive Director

October 23, 1986

Date

COMMISSION AGENDA ITEM REPORT

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Attachment



Resolution OF THE *Commission on Peace Officer Standards and Training* STATE OF CALIFORNIA

WHEREAS, Louis Trovato is a Lieutenant with the Los Angeles Police Department with impressive service in law enforcement; and

WHEREAS, He served the Commission on Peace Officer Standards and Training in the capacity of a POST Management Fellow, full time from November 1985 through October 1986; and

WHEREAS, He was the Project Director of the Shoot/No-Shoot Firearms Training Project which involved researching the need and specifications for an advanced technology training simulator; and

WHEREAS, He coordinated the efforts of an Advisory Committee providing input on the project; and

WHEREAS, His work on this difficult project was exemplary in every respect; and

WHEREAS, The results of his work will be of benefit to law enforcement everywhere, now therefore be it

RESOLVED, That the members of the Commission on Peace Officer Standards and Training commend Lou for a job well done; and be it

FURTHER RESOLVED, That the Commission extends its best wishes for continued service to California law enforcement.

Chairman

Executive Director

October 23, 1986

Date

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Commendation - Andrea Hop		Meeting Date October 23, 1986
Bureau Management Counseling Services	Reviewed By	Researched By Michael DiMiceli <i>Me</i>
Executive Director Approval <i>Morgan C. Boehm</i>	Date of Approval 9-16-86	Date of Report
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input checked="" type="checkbox"/> No		

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Commission Commendation for Andrea Hop.

BACKGROUND

At the October 1985 meeting, the Commission approved the six-month appointment of a POST Management Fellow Consultant to coordinate the development of a comprehensive Law Enforcement Records Management Manual. Andrea Hop, Records Manager, Walnut Creek Police Department, was selected and began work at POST on February 3, 1986. Ms. Hop served full-time as project director until August 1, 1986.

ANALYSIS

The project was successfully concluded. The manual is being printed and prepared for distribution.

Ms. Hop's work was outstanding. She should be commended for her efforts on behalf of POST and the law enforcement community.

RECOMMENDATION

Approve the attached Resolution for Andrea Hop.



Resolution OF THE *Commission on Peace Officer Standards and Training* STATE OF CALIFORNIA

WHEREAS, Andrea Hop is the Records Manager of the Walnut Creek Police Department with impressive service in law enforcement, and

WHEREAS, She served the Commission on Peace Officer Standards and Training in the capacity of a POST Management Fellow, full time, from February 1986 through July 1986; and

WHEREAS, She was the Project Director of the Law Enforcement Records Management Project wherein a model manual records system was developed; and

WHEREAS, She coordinated the efforts of contributing authors and an Advisory Committee providing input on the project; and

WHEREAS, Her work on this difficult project was exemplary in every respect; and

WHEREAS, The results of her work will benefit records managers and their agencies for many years to come; now therefore be it

RESOLVED, That the members of the Commission on Peace Officer Standards and Training commend Andrea for a job well done; and be it

FURTHER RESOLVED, That the Commission extends its best wishes for continued service to California law enforcement.

Chairman

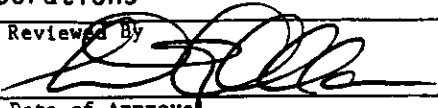

Executive Director

October 23, 1986

Date

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title California Department of Corporations		Meeting Date October 23, 1986
Bureau Compliance & Certificates	Reviewed By 	Researched By George Fox
Executive Director Approval 	Date of Approval 9-23-86	Date of Report September 17, 1986
Purpose: <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input checked="" type="checkbox"/> No		

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

The State of California, Department of Corporations, has requested that their Investigative Unit be included in the POST Specialized Program.

BACKGROUND

The department's investigators are sworn peace officers per Section 830.3(m) Penal Code, and a letter of intent to conform to POST Standards has been received from the Commission of Corporations.

ANALYSIS

The department presently employs 22 sworn investigators. Adequate selection standards were verified by on-site inspections. The agency is not qualified to receive reimbursement from POST.

RECOMMENDATION

The Commission be advised that the California Department of Corporations has been admitted into the POST Specialized Program consistent with Commission policy.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Affirmation of Commission Policy Statements		Meeting Date October 23, 1986
Bureau Information Services	Reviewed By <i>[Signature]</i> 9-5-86	Researched By <i>[Signature]</i> Georgia Pinoia
Executive Director Approval <i>[Signature]</i>	Date of Approval 9/8/86	Date of Report September 5, 1986
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No		

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Two policy statements are being resubmitted to the Commission; these policies were adopted by the Commission at its regular meeting on July 24, 1986.

BACKGROUND

The Commission has directed staff to resubmit policy matters for affirmation by the Commission prior to inclusion in the Commission Policy Manual.

RECOMMENDATION

Affirm the following policy statements for inclusion in the Commission Policy Manual:

RECOGNITION OF EXEMPLARY LAW ENFORCEMENT SERVICE

Exemplary law enforcement service may be recognized and appropriate resolutions, letters or other forms of expression may be presented to honorees at the time of retirement. The Chairman of the Commission and the Executive Director shall determine and issue the appropriate type of recognition, and shall advise the Commission of such actions periodically.

It is not the Commission's intent that this policy obligate the Commission to recognize all retiring law enforcement officials; the policy is meant to be a guideline; when occasionally requests are received, for expressions of recognition to retiring law enforcement officials.

COMMAND COLLEGE ADMITTANCE GUIDELINES

1. Effective July 1, 1988, chiefs of police and sheriffs will participate in the assessment center process with the general applicant population.

2. Five positions shall be reserved for chiefs of police and sheriffs in each Command College Class.
3. After successful completion of the assessment center and acceptance to attend a Command College class, notification of acceptance to the city manager or city/county administrator shall be made at the discretion of the concerned chief of police or sheriff.
4. Chiefs of police, sheriffs, and other prospective Command College participants shall be encouraged to contact graduates of the Command College to obtain an understanding of the commitment the program requires.
5. A statement shall be included on the Command College applications regarding the candidate's intent to remain in public law enforcement for three years following graduation.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Reimbursement of Civilian Employees Attending the Executive Development Course		Meeting Date October 23, 1986
Bureau Center for Executive Development	Reviewed By	Researched By <i>Ted Morton</i> Ted Morton
Executive Director Approval <i>Norman C. Becken</i>	Date of Approval 10-8-86	Date of Report October 8, 1986
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No		

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should Commission Regulations be revised to permit reimbursement for civilians attending the Executive Development Course?

BACKGROUND

A letter was received from the Los Angeles Police Department requesting the Commission to consider a policy change that would allow non-sworn commanding officers to attend the Executive Development Course. (See attached letter)

Commission Regulation 1005(e) and Procedure E-1-4a (see attached) clearly prohibit reimbursement of agencies for non-sworn employee attendance at the Executive Development Course.

Since 1983, non-sworn managers have been allowed to attend the POST 80-hour Management Course and their agency reimbursed. POST staff and contract presenters have had no problems with their attendance and reimbursement. The total number of non-sworn middle managers attending the Management Course has been low and is not expected to increase.

ANALYSIS

The Executive Development Course curriculum consists of five major subject areas. They are: 1) Leadership and Management; 2) Organization and Development; 3) Legal Responsibilities; 4) Communications; and 5) Contemporary Issues. All of the learning goals taught in the above subject areas would be useful for non-sworn managers who are in positions of managing other managers (second level of management). Due to experiences with the Management Course, there should only be a low volume of non-sworn managers asking for approval to attend. The 85/86 Fiscal Year average reimbursement for the Executive Development Course was \$860.35. It is anticipated that no more than ten non-sworn managers would be reimbursed for the Executive Development Course, per year, at a total cost of \$8,604. So that the non-sworn employees have met the same requirements as regular officers, the Management Course should be successfully completed before attendance of the Executive Development Course.

Because Commission Procedure E-1-4a is incorporated by reference into Commission Regulations, a public hearing is required prior to revision of this procedure.

RECOMMENDATION

If Commissioners wish to consider a change to allow the requested reimbursement, appropriate action would be a motion to schedule a public hearing during the January, 1987 meeting.

Revised: January 24, 1985

1005. Minimum Standards for Training (continued)

- (3) Every regular officer, regardless of rank, may attend a certified Advanced Officer Course and the jurisdiction may be reimbursed.
- (4) Requirements for the Advanced Officer Course are set forth in the POST Administrative Manual, Section D-2, (adopted effective April 15, 1982), herein incorporated by reference.

Text of Section 1005(d) operative July 1, 1986.

(d) Continuing Professional Training (Required)

- (1) Every peace officer below the rank of first-level middle management position as defined in Section 1001(p) shall satisfactorily complete the Advanced Officer Course of 24 or more hours at least once every two years after completion of the Basic Course.
- (2) The above requirement may be met by satisfactory completion of an accumulation of certified Technical Course totaling 24 or more hours, or satisfactory completion of an alternative method of compliance as determined by the Commission. In addition to the above methods of compliance, supervisors may also satisfy the requirement by completing Supervisory or Management Training Courses.
- (3) Every regular officer, regardless of rank, may attend a certified Advanced Officer Course and the jurisdiction may be reimbursed.
- (4) Requirements for the Advanced Officer Course are set forth in the POST Administrative Manual, Section D-2, (adopted effective April 15, 1982 and amended January 24, 1985), herein incorporated by reference.

(e) Executive Development Course (Optional)

- (1) The Executive Development Course is designed for department heads and their executive staff positions. Every regular officer who is appointed to an executive position may attend a certified Executive Development Course and the jurisdiction may be reimbursed, provided the officer has satisfactorily completed the training requirements of the Management Course.
- (2) Every regular officer who will be appointed within 12 months to a department head or executive position may attend a certified Executive Development Course if authorized by the department head and the officer's jurisdiction may be reimbursed, provided the officer has satisfactorily completed the training requirements of the Management Course.
- (3) Requirements for the Executive Development Course are set forth in PAM Section D-5.

(f) Technical Courses (Optional)

- (1) Technical Courses are designed to develop skills and knowledge in subjects requiring special expertise.

COMMISSION PROCEDURE E-1
Revised: July 1, 1983

1-3. Specific Requirements (continued)

Reimbursement, when requested by the department head, will be paid under Plan IV for expenses related to attendance of a certified Executive Development Course provided the trainee has satisfactorily completed the training requirements of the Management Course and is (1) appointed department head or to an executive staff position or (2) will be appointed within 12 months to a department head or to an executive staff position.

f. Field Management Training: As specified in Commission Procedure D-9.

g. Team Building Workshops: A condition of certification of Team Building Workshops is the development by participants of an Action Plan for implementing results of the course. A copy of the Action Plan must be received by POST within 90 days of completion of the Team Building Workshop before reimbursement for training expenses can be authorized.

1-4. General Requirements: General requirements relating to reimbursement are as follows:

a. Training for Non-sworn and Paraprofessional Personnel: Reimbursement is provided for the training of non-sworn personnel performing police tasks and for paraprofessionals attending a certified Basic Course.

1. The training shall be specific to the task currently being performed by an employee or may be training specific to a future assignment which is actually being planned.
2. Non-sworn personnel may attend the courses identified in Section 1005(a)(b)(c)(d)(e), but reimbursement shall not be provided except as indicated in sub-paragraphs 3 and 4 below.
3. Paraprofessional personnel in, but not limited to, the classes listed below may attend a certified Basic Course and reimbursement shall be provided to the employing jurisdiction in accordance with the regular reimbursement procedures. Prior to training paraprofessional personnel in a certified Basic Course, the employing jurisdiction shall complete a background investigation and all other provisions specified in Section 1002(a)(1) through (7) of the Regulations.

Eligible job classes include the following:

Police Trainee
Police Cadet
Community Service Officer
Deputy I (nonpeace officer)

4. A full-time, non-sworn employee assigned to a middle management or higher position may attend a certified management course and the jurisdiction may be reimbursed the same as for a regular officer in an equivalent position. Requests for approval shall be submitted in writing to POST, Center for Executive Development, at least 30 days prior to the start of the concerned course. Request for approval must include such information as specified in Section 1014 of the Regulations. Approval will be based on submission of written documentation that the non-sworn manager is filling a full-time position with functional responsibility in the organization above the position of first-line supervisor.

LOS ANGELES POLICE DEPARTMENT

DARYL F. GATES
Chief of Police



TOM BRADLEY
Mayor

P. O. Box 30158
Los Angeles, Calif. 90030
Telephone:
(213)-
Ref #:

August 20, 1986

Mr. Norman C. Boehm
Executive Director
Commission on Peace Officer
Standards and Training
Sacramento, California 95816-7083

Dear Norm:

Current POST policy does not allow non-sworn personnel to attend the POST Executive Development Course. Several of our civilian commanding officers have expressed a keen interest in attending this course.

Over the past few years the Los Angeles Police Department has been moving towards a civilian command structure for some of its divisions. At this time, seven of our divisions are headed by civilian commanding officers. In all but two cases, these divisions were formerly commanded by sworn personnel holding the rank of captain.

LAPD's civilian commanding officers would benefit greatly from this course. The course would enhance their ability to command effectively. I am requesting that the Commission consider a policy change that would allow our civilian commanding officers to attend this course. If you have any questions that you would like answered or any additional information is needed, please don't hesitate to contact me, or my staff, at (213) 485-4048.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Robert L. Vernon".

ROBERT L. VERNON, Assistant Chief
Director
Office of Operations

SEP 10 1986

STANDARD

FACT SHEET

The attached letter is the result of a request for training made by the Commanding Officer of Records and Identification Division, Joseph P. Bonino. He, as well as Charles Drescher, Commanding Officer, Automated Information Division, have made previous requests to attend the POST Executive Development Course. All their previous requests were denied. A project was initiated for Support Services Bureau staff to determine the reason(s) for the denials.

Conversations with members of the POST unit at Training Division revealed that POST policy prohibits the attendance of non-sworn personnel from attending the POST Executive Development Course.

Assistant Chief Robert Vernon, currently a commissioner on the Commission on Peace Officer Standards and Training, was contacted on the advisability of seeking a change in POST policy on the Executive Development Course. Chief Vernon, noting the number of civilian commanding officers on our Department, directed the SSB staff to prepare a letter for his signature directed to Mr. Norm Boehm, Executive Director, Commission on Peace Officer Training and Standards, requesting consideration of a policy change allowing non-sworn personnel to attend the Executive Development Course.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request From Los Angeles DA For Waiver of Psychological Screening & Medical Exam Requirements		Meeting Date October 23, 1986
Bureau Compliance and Certificate Services	Reviewed By	Researched By David Y. Allan
Executive Director Approval <i>M. J. Barker</i>	Date of Approval 10-7-86	Date of Report September 27, 1986
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact		<input type="checkbox"/> Yes (See Analysis per details) <input checked="" type="checkbox"/> No
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		

ISSUE

Should the Commission waive requirements for Medical Examinations, and Psychological Suitability for peace officers transferring between separate agencies within the same unit of government?

BACKGROUND

The District Attorney of Los Angeles County, in a letter dated July 10, 1986 (Attachment A), requested a waiver of Commission Regulation 1002(b) as it relates to transfers between the District Attorney's, Marshal's, and Sheriff's Departments in Los Angeles County on the basis of the contention that the individual who undergoes such a transfer experiences no change of status, salary, or benefits.

The District Attorney cites the following support of his contention that there is no change in status in changing employment between the three departments within Los Angeles County:

- o Salary step and POST bonus remain the same.
- o The incumbent retains all accumulated vacation, overtime and sick leave.
- o Representation continues by the same labor union under the same M.O.U.
- o The seniority date remains the same.
- o Membership as a safety member in the Los Angeles County Retirement System is not affected.
- o If the potential transferee fails either the medical or psychological examination, it has no effect on continued employment as a Los Angeles County peace officer; i.e., the individual would continue with the original department unless voluntary retirement is selected.

The District Attorney further advises that the medical and psychological evaluation for Los Angeles district attorney investigators, deputy sheriffs, and deputy marshals are exactly the same, administered by the same professionals, and the files of all three positions are maintained together in the same location without regard to department affiliation.

In summary, the District Attorney feels that re-examination of Los Angeles County district attorney investigators, deputy sheriffs, and deputy marshals applying for inter-departmental transfers are a duplication of services and records which represents an unnecessary delay and expense to the County of Los Angeles.

ANALYSIS

POST Policy has been that transfers or employment changes between agencies within a governmental jurisdiction are instances of lateral entry covered by Commission Regulation 1002(b) and, as such, all minimum standards of selection required by Regulation 1002(a) apply, (See Attachment B). Such movement of personnel is typical between the offices of sheriff, coroner, district attorney, or marshal within the 42 counties in which multiple agencies subscribe to POST Standards and the 22 agencies of State Government within the POST Programs. These agencies include regular and specialized departments with varying training requirements which may or may not necessitate additional training prior to or during appointment to the new agency.

Separate law enforcement agencies are considered individually for participation in the POST Program, and each of the three agencies concerned within Los Angeles County have separate and distinct training requirements.

POST selection standards are largely based upon Government Code requirements which apply continuously. That is, after an applicant satisfies the requirements of law and is appointed to a peace officer position, he or she must thereafter remain qualified to legally serve as a peace officer. Our legal advice is that it is reasonable for POST and for employers, at appropriate times, to call upon the peace officer to demonstrate continued qualification under Government Code requirements and POST requirements. Reappointments or appointments to new peace officer positions are appropriate times for this review.

Each of the three Los Angeles County agencies in question employ peace officers for different law enforcement jobs. There are three separate appointing powers. The different nature of the job could bring about different employment decisions on the same individual based upon psychological and medical factors.

Law enforcement administrators generally desire to subject lateral entrants to all selection screening requirements as a liability safeguard. The Commission has been empowered for many years by Regulation 1002(b) to waive selection standards for lateral entrants, but has never elected to do so.

Options for Commission consideration appear to be as follows:

o Denial of the request

This would provide greatest assurance of continued adherence to standards.

o Waive the two examinations as requested for Los Angeles County only

Approval of the request could lead to request for waiver of other selection standards. It would also appear difficult to restrict the waiver to one county.

o Waive the two examinations for all counties and the State of California

With widespread application of the waiver, chances would increase that some law enforcement chief administrator would wish to require these examinations even without POST mandate. Some would undoubtedly be excluded by budget constraints and personnel policies from requiring these examinations on a voluntary basis. Prospects would also increase for pressure to be generated by rank and file groups or personnel units for waiver of other selection standards.

If the Commission wishes to grant a widespread waiver, consideration could be given to a waiver in all instances of lateral entry--whether inter or intra-jurisdictional.

The Commission could also, of course, consider a waiver of only one of the two examinations. In that event it should be observed that disqualifying medical conditions may not easily be detected by observation of job performance. Disqualifying psychological conditions would more readily be evidenced by on-the-job attitudinal/behavioral problems.

RECOMMENDATION

The Commission's Long Range Planning Committee has had this matter under discussion before and will discuss psychological screening at its scheduled meeting of October 22. A recommendation of the Long Range Planning Committee will be offered when this item is addressed.



IRA REINER
DISTRICT ATTORNEY

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF LOS ANGELES

18000 CRIMINAL COURTS BUILDING
210 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012
(213) 974-3501

COMMISSION ON P.O.S.
JUL 17 12 30 PM '86

July 10, 1986

Mr. Robert L. Vernon, Chairman
Commission on Peace Officer
Standards and Training
1601 Alhambra Boulevard
Sacramento, California 95816-7083

Dear Sir:

WAIVER OF INVESTIGATOR PHYSICAL AND PSYCHOLOGICAL EXAMS

The Los Angeles County District Attorney is requesting that the Commission waive P.O.S.T. regulation 1002(b) as it relates to the interdepartmental transfers of Los Angeles County District Attorney investigators, deputy sheriffs, and deputy marshals. Even though 1002(b) imposes the physical and psychological suitability exam requirements of Government Code Section 1031(f) on lateral entrants, it would not appear that the intent of the regulation was to apply to interdepartmental transfers of employees of one employer.

The term "lateral entry" ordinarily refers to a method of hiring a peace officer from another separate and independent jurisdiction. Peace officers of Los Angeles County, as defined in section 830.1 P.C., are recognized by the Civil Service Rules as being in the same class of the same employer, and are thus entitled to transfer to either of the other two County departments without undergoing any kind of competitive testing, or medical or psychological reexamination.

When a Los Angeles County District Attorney investigator, deputy sheriff, or deputy marshal transfers to either of the other two departments, he experiences no change in status, salary, or benefits. For example:

1. Salary step and P.O.S.T. bonus remain the same.
2. He brings all accumulated vacation, overtime, and sick leave with him.
3. He is still represented by the same labor union and works under the same M.O.U.

Mr. Robert L. Vernon, Chairman
Page Two
July 10, 1986

4. His seniority date of original entry into Los Angeles County service remains unchanged.
5. His continued membership as a safety member of the Los Angeles County retirement system is not affected.
6. If he, the potential transferee, fails either the medical exam or the psychological exam, it would have no effect on his continued employment as a Los Angeles County peace officer; i.e., he would continue with his original department, unless he voluntarily chose to retire.

Medical exams and psychological evaluations for Los Angeles County District Attorney investigators, deputy sheriffs, and deputy marshals are exactly the same, administered by the same professionals, and the files of all three positions are maintained together in the same location without regard to department affiliation.

In summary, we feel that reexaminations of Los Angeles County District Attorney investigators, deputy sheriffs, and deputy marshals applying for interdepartmental transfers are a duplication of services and records. This represents an unnecessary delay and expense to the County of Los Angeles.

Thank you for your consideration.

Very truly yours,

Ira Reiner

IRA REINER
District Attorney

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1002. Minimum Standards for Employment

- (a) Every peace officer employed by a department shall be selected in conformance with the following requirements:

- (1) Felony Conviction. Government Code Section 1029: Limits employment of convicted felons.
- (2) Fingerprint and Record Check. Government Code Section 1030 and 1031(c): Requires fingerprinting and search of local, state, and national files to reveal any criminal records.
- (3) Citizenship. Government Code Section 1031(a) and 1031.5: Specifies citizenship requirements for peace officers.
- (4) Age. Government Code Section 1031(b): Requires minimum age of 18 years for peace officer employment.
- (5) Moral Character. Government Code Section 1031(d) requires good moral character as determined by a thorough background investigation.

The background investigation shall be conducted as prescribed in the POST Administrative Manual, Section C-1. "The Personal History Investigation," (adopted effective April 15, 1982), herein incorporated by reference. The background investigation shall be completed on or prior to the appointment date.

- (6) Education. Government Code Section 1031(e): Requires high school graduation or passage of the General Education Development Test (GED).

When the GED is used, a minimum overall score of not less than 45, and a standard score of not less than 35 on any section of the test, as established by the American Council on Education, shall be attained.

- (7) Physical and Psychological Suitability Examinations. Government Code Section 1031(f): Requires an examination of physical, emotional, and mental conditions.

The examinations shall be conducted as prescribed in the POST Administrative Manual, Section C-2, "Physical and Psychological Suitability Examinations," (adopted effective April 15, 1982 and amended January 1, 1985 and July 1, 1985), herein incorporated by reference.

- (8) Interview. Be personally interviewed prior to employment by the department head or a representative(s) to determine the person's suitability for police service, which includes, but is not limited to, the peace officer's appearance, personality, maturity, temperament, background, and ability to communicate. This regulation may be satisfied by an employee of the department participating as a member of the peace officer's oral interview panel.

- (9) Reading and Writing Ability. Be able to read and write at the levels necessary to perform the job of a peace officer as determined by the use of the POST Entry-Level Law Enforcement Test Battery or other job-related tests of reading and writing ability.

- (b) All requirements of Section 1002 of the Regulations shall apply to each lateral entrant, regardless of the rank to which the person is appointed, unless waived by the Commission.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Bailiff and Civil Process Course		Meeting Date October 23, 1986
Bureau Training Program Services	Reviewed By Glen Fine	Researched By Hal Snow <i>KS</i>
Executive Director Approval <i>Murray C. Behm</i>	Date of Approval 9-30-86	Date of Report September 17, 1986
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input checked="" type="checkbox"/> No		

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should Commission Procedure D-1-5 be modified to permit the 80-hour Bailiff and Civil Process Course required for marshals and deputy marshals to be satisfied either as a single intact course or as two separate 40-hour courses?

BACKGROUND

The Commission at the April 1983 meeting revised the basic training requirement for marshals and deputy marshals to permit satisfaction by completion of the regular basic course plus the 80-hour Bailiff and Civil Process Course. Because of the relatively low demand for this course, it was certified to a single presenter - Rio Hondo College. Recently, a group representative of California's marshals was assembled by request to review problems with the requirement and course delivery issues. Input received indicated marshals' offices are having difficulty complying with the one-year completion requirement on the Bailiff and Civil Process Course because of the infrequency of the course being presented (one/year). It was noted that only marshals personnel attended the course. At the same time, it was observed two other similar POST-certified courses (Civil Process at Allan Hancock College and Civil Procedures at Los Medanos College) enjoy success in attracting trainees from sheriffs departments. It was the above group's unanimous recommendation to POST to permit the 80-hour Bailiff and Civil Process Course to be satisfied by completing two 40-hour courses - Bailiff and Court Security Course and Civil Process Course.

ANALYSIS

The request appears to be at least a partial solution to the present infrequency of course offering problem as well as the lack of close proximity to available course presenters. With minor modifications, it appears the Allan Hancock and Los Medanos 40-hour civil courses will meet the civil part of marshal's basic training requirement. Both presenters have indicated their willingness to modify their course curriculum and permit attendance of marshals personnel. If Rio Hondo's 80-hour course were to be presented as two 40-hour courses, it also would undoubtedly attract attendance of both marshal and sheriffs personnel. Thus, the proposal would permit more opportunities to satisfy the training requirement.

The proposal is to modify Commission Procedure D-1-5 to permit satisfaction of the requirement either as an intact 80-hour Bailiff and Civil Process Course or

completion of two 40-hour courses - Bailiff and Court Security Course and Civil Process Course. See Attachment A for proposed modifications. The proposed curriculum for each 40-hour course (Attachment B) is considered consistent with the 80-hour Bailiff and Civil Process Course and the training requirements except for some minor format refinements.

If the Commission approves of the proposal, the above revisions will be submitted to OAL for approval as a technical changes "without regulatory effect."

RECOMMENDATION

Approve changes to Commission Procedure D-1-5 to permit the 80-hour Bailiff and Civil Process Course requirement for marshals and deputy marshals to be satisfied either as a single intact course or as two separate 40-hour courses, effective upon approval of procedures by OAL.

Attachments

Commission on Peace Officer Standards and Training

COMMISSION PROCEDURE D-1
Revised: January 24, 1985

1-5. Marshals Basic Course Content and Minimum Hours: (continued)

topics with prior POST approval. Marshals basic training may be met by satisfactory completion of the training requirements of the Basic Course, plus the satisfactory completion of a certified Bailiff and Civil Process Course. or the Bailiff and Court Security Course and Civil Process Course.

Functional Areas:

1.0	Professional Orientation	10 hours
2.0	Police Community Relations	15 hours
3.0	Law	35 hours
4.0	Laws of Evidence	20 hours
5.0	Communications	30 hours
6.0	Vehicle Operations	8 hours
7.0	Force and Weaponry	50 hours
8.0	Criminal Investigation	24 hours
9.0	Physical Fitness and Defense Techniques	40 hours
* 10.0	Field Techniques	70 hours
* 11.0	Custody	20 hours
* 12.0	Civil Process	60 hours
* 13.0	Bailiff	40 hours

Examinations 24 hours

Total Minimum Required Hours 446 hours

*Functional Areas that form the basis for the POST-Certified 80-hour Bailiff and Civil Process Course. or the 40-hour Bailiff and Court Security Course and the 40-hour Civil Process Course.

1-6. Specialized Basic Investigators Course Content and Minimum Hours: The Performance Objectives listed in the POST document "Performance Objectives for the POST Specialized Basic Investigators Course" are contained under broad Functional Areas and Learning Goals. The Functional Areas and Learning Goals are descriptive in nature and only provides a brief overview of the more specific content of the Performance Objectives. Within a functional area listed below, flexibility is provided to adjust hours and instructional topics with prior POST approval. This course includes the curriculum of the 40-hour P.C. 832 Laws of Arrest and Firearms Course. Specialized Investigators Basic Training may be met by satisfactory completion of the training requirements of the Basic Course.

Functional Areas:

1.0	Professional Orientation	10 hours
2.0	Police Community Relations	15 hours
3.0	Law	20 hours
4.0	Laws of Evidence	15 hours
5.0	Communications	15 hours
6.0	Vehicle Operations	8 hours
7.0	Force and Weaponry	33 hours
8.0	Field Procedures	39 hours
* 9.0	(Deleted)	0 hours
10.0	Criminal Investigation	24 hours
* 11.0	(Deleted)	0 hours

Commission on Peace Officer Standards and Training

POST Prescribed Training Courses

September 1986

CIVIL PROCESS COURSE
Course OutlinePOST ADMINISTRATIVE MANUAL REFERENCE

Regulations Section 1005(a)(3)
Commission Procedure D-1-5

LEGAL REFERENCE

The Commission Regulations Section 1005(a)(3) require every regularly employed and paid as such marshal or deputy marshal of a municipal court as defined in Section 830.1 P.C. shall satisfactorily meet the training standards of the Marshal's Basic Course. The standards may be satisfactorily met by successfully completing the training requirements of the Basic Course. The satisfactory completion of a certified Bailiff and Court Security Course and a Civil Process Course is also required within 12 months of appointment.

BACKGROUND

The Bailiff and Civil Process Course was developed in 1983. This course was revised and divided into the Bailiff and Court Security Course and Civil Process Course in 1986.

CERTIFICATION INFORMATION

The 40-hour course is certified to community colleges.

PREREQUISITE: Successful completion of the POST Basic Course.

PURPOSE: This course is designed to present information specific to the job of marshal and bailiff, to marshals and bailiffs who have already received general law enforcement training at the POST Basic Course. The course will also be of interest to sheriff's deputies who perform these tasks in areas where there is no marshal's office.

TOPICAL OUTLINE

- 1.0 Course Overview/Administrative Issues
- 2.0 Definitions and Procedures for Serving Single Process
- 3.0 Proper Methods of Enforcing Writs of Execution and Attachments
- 4.0 Legal Requirements and Proper Method of Sale for Real and Personal Property
- 5.0 Field Activity Procedures
- 6.0 Legal Requirements and Administrative Procedures in the Receipt of and Return of Process
- 7.0 Examination

EXPANDED COURSE OUTLINE

1.0 Course Overview/Administrative Details

2.0 Definitions and Procedures for Serving Single Process

A. Serving by posting

1. notices
2. summons and unlawful detainer
3. others

B. Service by mail

C. Personal/constructive service

1. unlawful detainer
2. notices
3. temporary restraining orders
4. order to show cause
5. summons and complaint
6. summons and petition
7. order of appearance judgment debtor
8. order of appearance of debtor of judgment debtor
9. claim of plaintiff and order
10. subpoenas
11. citations
12. claim of defendant
13. military affidavit
14. child custody turnovers

3.0 Proper Methods of Enforcing Writs of Execution and Attachments

- A. Writ of possession--personal property
- B. Writ of possession--real property
- C. Personal property levy

1. earnings withholding order
2. garnishments
3. till taps
4. execution levy keeper
5. vehicle levy

4.0 Legal Requirements and Proper Method of Sale for Real and Personal Property

A. Personal property

1. vehicle
2. other

B. Real estate

5.0 Field Activity Procedures

- A. Civil bench warrants
- B. Seizure of contraband
- C. Investigative techniques
- D. Rendering assistance

1. call for backup
2. crimes in progress
3. medical assistance
4. traffic accidents
5. other

6.0 Legal Requirements and Administrative Procedures in the Receipt of and Return of Process

- A. Claim of exemption
- B. Third party claim
- C. Bankruptcy
- D. Routing/Planning workload
- E. Review instruction for completeness and accuracy
- F. Notification to plaintiff on completion of levy
- G. Scheduling

1. evictions
2. keepers
3. sales
4. drayage and storage

H. Fees and deposits

7.0 Examination

BAILIFF AND COURT SECURITY COURSE
Course Outline

POST ADMINISTRATIVE MANUAL REFERENCE

Regulations Section 1005(a)(3)
Commission Procedure D-1-5

LEGAL REFERENCE

The Commission Regulations Section 1005(a)(3) require every regularly employed and paid as such marshal or deputy marshal of a municipal court as defined in Section 830.1 P.C. shall satisfactorily meet the training standards of the Marshal's Basic Course. The standards may be satisfactorily met by successfully completing the training requirements of the Basic Course. The satisfactory completion of a certified Bailiff and Court Security Course and Civil Process Course is also required within 12 months of appointment.

BACKGROUND

The Bailiff and Civil Process Course was developed in 1983. This course was revised and divided into the Bailiff and Court Security Course and Civil Process Course in 1986.

CERTIFICATION INFORMATION

The 40-hour course is certified to community colleges.

PREREQUISITE: Successful completion of the POST Basic Course.

PURPOSE: This course is designed to present information specific to the job of marshal and bailiff, to marshals and bailiffs who have already received general law enforcement training at the POST Basic Course. The course will also be of interest to sheriff's deputies who perform these tasks in areas where there is no marshal's office.

TOPICAL OUTLINE

- 1.0 Course Overview/Administrative Issues
- 2.0 Bailiff
- 3.0 Security
- 4.0 Custody
- 5.0 Examination

EXPANDED COURSE OUTLINE

1.0 Course Overview/Administrative Details

2.0 Bailiff

A. Procedures for Setting up the Courtroom

1. Sequence of courtroom events:
 - a. special witness procedures
 - b. security problems
 - c. custody
 - d. evidence
2. Proper setting of participants and spectators
 - a. jury
 - b. defendant
 - c. plaintiff
 - d. witness
 - e. police officer
 - f. special consideration cases
 - g. custodies
3. Rules and regulations governing the use of photography and/or recording equipment in the courtroom
4. Contents of a court calendar
 - a. case number
 - b. case title
 - c. type of case
 - d. courtroom location
5. Emergency phone list
 - a. fire
 - b. paramedic
 - c. local law enforcement agency

B. Terms and Phrases Used in the Judicial System

- | | |
|-----------------------|-----------------------|
| 1. pro tem | 23. mistrial |
| 2. pro per | 24. motion |
| 3. authorized agent | 25. nolo contendere |
| 4. attachment | 26. notice |
| 5. bench | 27. open court |
| 6. bench warrant | 28. order |
| 7. held to answer | 29. overrule |
| 8. cause of action | 30. plaintiff |
| 9. complaint | 31. defendant |
| 10. contempt of court | 32. plea |
| 11. demurrer | 33. plea bargain |
| 12. disposition | 34. probation |
| 13. execute | 35. proceeding |
| 14. ex parte | 36. process |
| 15. good cause | 37. Proof of service |
| 16. habeas corpus | 38. quash |
| 17. hung jury | 39. remand |
| 18. immunity | 40. restitution |
| 19. impaneling | 41. restraining order |
| 20. injunction | 42. summons |
| 21. judgment | 43. unlawful detainer |
| 22. mandate | 44. writ |

C. Basic Bailiff Responsibilities

1. Method used to call the court to order
 - a. formal opening
 - b. informal opening
2. Maintaining proper courtroom demeanor
 - a. verbal outbreak
 - b. proper attire
 - c. eating in the court
3. Serving civil process in the courtroom
 - a. warrants
 - b. civil process
 - c. criminal process
4. How to control the movement of evidence and exhibits
5. Identifying and locating legal references that are requested by the court
 - a. Cal App
 - b. West Code
 - c. local ordinances
 - d. Cal Jur
 - e. periodicals
6. Verification of documents
 - a. drivers license
 - b. bail receipts
 - c. receipts
7. Inspection of vehicles to verify compliance with CVC violations

D. Responsibilities of the Bailiff in Preparing for and During a Jury Trial

1. Preparing for a jury trial
 - a. providing writing materials
 - b. receiving jury panel
 - c. seating
2. Taking charge of the jury
 - a. transportation
 - b. meals
 - c. security
 - d. sequestering
 - e. evidence/exhibits/verdict slips
 - f. lines of communication
 - g. checking and securing a jury room

E. Public Relations within the Criminal Justice System

1. Maintaining proper relationships with

- a. juries
- b. judges
- c. attorneys
- d. defendants
- e. court clerk
- f. court spectators
- g. fellow employees
- h. news media

3.0 SECURITY

A. Procedures for Providing Court Security

1. Courtroom search prior to opening courtroom doors
2. Control of unauthorized individuals from restricted areas
 - a. chambers
 - b. hallways
 - c. lock-up
 - d. bench
3. Locate and verify that alarm system is operative
4. Identification and disposition of potentially dangerous articles
 - a. unattended briefcases
 - b. unattended packages
 - c. unattended bags
5. Recognition of potential problems
 - a. gang activity
 - b. weapons
 - c. demonstrators
 - d. 5150 WIC
 - e. family disputes
6. Procedures necessary to receive, record, and respond to emergency situations
 - a. bomb threats
 - b. fires
 - c. escapes
 - d. hazardous materials
 - e. evacuation
 - f. medical emergencies
7. Searching the courtroom
 - a. locking courtroom doors
 - b. securing evidence/exhibits
 - c. securing custodies
8. Individuals that require special handling in custodial situations
 - a. attorneys
 - b. other law enforcement personnel
 - c. relatives of custodies
 - d. news media

4.0 CUSTODY

A. Custodial Responsibilities of The Bailiff

1. Preparatory steps prior to receiving prisoners

- a. premovement security check
- b. check all routes from cell to courtroom
- c. open holding facility
- d. check emergency alarms
- e. type of equipment and weapons that should be available in court holding facilities

2. Receipt of prisoners

- a. search prisoner prior to placing in holding cell
- b. proper handling of dangerous prisoners in high-risk situation, i.e., PCP, 5150 WIC
- c. proper handling of females
- d. medical problems including casts, crutches, wheelchairs, etc.
- e. guard and count prisoners while loading and unloading
- f. verify identity
- g. advise defendants of lock-up rules, regulations, and privileges
- h. receiving prisoners from other staff members

3. Procedures used in the receipt of, transportation of, and release of prisoners

- a. holding cells and courtroom
- b. brief prisoners on courtroom rules of conduct
- c. remanding, booking, and release orders
- d. provide privacy for attorney-client interviews in holding cells
- e. prisoner escapes

4. Proper techniques in applying and removing restraint devices

- a. leg and waist chains
- b. handcuffs
- c. multiple defendant chains
- d. other devices such as gags, etc.

5. Proper search techniques

- a. holding facility searches
- b. pat down searches
- c. full body searches
- d. searching males/females/unknowns

6. Treatment of prisoners

- a. treat with dignity
- b. be fair but firm
- c. keep informed
- d. be considerate of language barriers

7. Pertinent laws related to the handling and discipline of prisoners

5.0 Examination

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT			
Agenda Item Title Basic Course Driver Training Tuition		Meeting Date October 23, 1986	
Bureau Training Program Svcs.	Reviewed By		Researched By Harold Snow <i>HS</i>
Executive Director Approval <i>Norman C. Boehm</i>	Date of Approval		Date of Report September 22, 1986
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No			

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission authorize the Executive Director to establish the tuition rate for behind-the-wheel driver training in the Basic Course?

BACKGROUND

Since tuition was first authorized for driver training in the Basic Course (1980), the rate has been established and modified by the Commission. From time to time, the Commission has increased the rate due to higher costs of presenting this 16 hours of instruction. Currently, the rate is set at a maximum of \$367, of which \$310 is POST reimbursable. Each academy must submit and have approved a budget for actual costs not to exceed this amount. The reason for the reimbursable amount being less than actual costs has been to recognize the ADA revenue generated (\$57) to community college-operated or affiliated academies (26 of the 33). The ADA factor must in all cases be included in the tuition calculation--even if the tuition is below the maximum allowable.

In 1984, AB IXX and AB 2808 were passed into law creating major reforms in the community college fee structure. Numerous miscellaneous student fees were abolished in lieu of a flat \$50 per semester fee for full-time students and a reduced rate for part-time students.

The law has created substantial confusion and concern regarding the charging of tuition for driver training presented by community colleges. Some colleges intend to present the driver training portion of the Basic Course as a separate offering outside the ADA funded basic course. Where this is done, the ADA "buy in" aspect of current tuition policy would be non-applicable.

ANALYSIS

The issue of ADA funding for driver training in the Basic Course is complex. Results of a recent survey of community college academies indicate that numerous differing responses to AB-1XX are occurring (see Attachment A for results). These results indicate that some community college academies, particularly extended format academies, are moving to convert driver training in the Basic Course from ADA-generating status to non-ADA-generating community services resulting in the loss of the \$57 ADA revenue. This conversion has little, if any, fiscal effect on POST as these extended format academies are attended by non-POST reimbursable trainees.

A complicating factor is that the employing agencies sending their officers to the course may still be charged a tuition which is reimbursed by POST. Only non-employed students seem to be affected.

Because tuition determinations will have to be made on a case by case basis, it seems prudent to recommend the Executive Director be authorized to adjust tuition rates as needed in the same fashion as for other courses.

At the present time it appears that most academies have elected to continue this training as part of the ADA-generating basic course either charging no fees or charging the employing agency. If this continues, no substantial fiscal impact is anticipated. The Commission will be apprised of any significant developments and a report to the Commission will be prepared if any significant fiscal impact is foreseen.

RECOMMENDATION

Authorize the Executive Director to establish the tuition rates for behind-the-wheel driver training in the Basic Course.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Results of Survey of Basic Academies on Driver Training FeesAcademies Responding -23Present PracticeNo. of
AcademiesProjected PracticeNo. of
Academies

11 - Include the training as part of the ADA - generating Basic Course and charge fees all students	4
5 - Include the training as part of the ADA generating Basic Course and charge no fees	6
3 - Offer the training as a "required" community service course and charge a fee	2
1 - Offer as "optional" community services course	5
2 - Agency Academy	2
1 - Required training and fee, not ADA not community services, presentd by private contractor	1
0 - Non acceptable	1

Driver Training Tuition

\$198 - Present average excluding agency operated academies

269 - Present average for those academies which charge a fee

Three academies indicated fees would increase as the result of contemplated changes.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Report to Legislature Regarding Police Officer Killing Study		Meeting Date October 23, 1986
Bureau Executive Office	Reviewed By	Researched By John Kramer
Executive Director Approval <i>Morgan C. Bachin</i>	Date of Approval	Date of Report
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact		<input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		

ISSUE

Report to the Legislature on the Peace Officer Killing Study

BACKGROUND

Assembly Bill 1911, Chapter 881 (1985) directed the Commission on Peace Officer Standards and Training to (1) study the circumstances under which California peace officers are killed in the course of their employment, (2) develop guidelines establishing optional standard procedures which may be followed by law enforcement agencies to better enable peace officers to deal with these situations, and (3) the revision of the basic course curriculum to include adequate instruction in officer safety related issues.

On March 1, 1986, Sergeant John Kramer of the Fairfield Department of Public Safety was hired as a POST Management Fellow to act as Project Manager for the study. The coordinator of the Project is Bureau Chief Gene DeCrona, who is assigned to the Executive Office. Additionally, on August 1, 1986, a statistician was hired to assist with the analysis of the collected information.

An 11-member Ad Hoc Committee comprised of subject matter experts was established during the initial stages of the project. They represent a variety of interests in law enforcement and function in a resource and review capacity.

ANALYSIS

Study Parameters

Statistics and an analysis of the line-of-duty felonious killing of California peace officers from January 1, 1980 to present are being examined in this study. Incidents occurring prior to this date were excluded due to the difficulty in retrieving valid information on these incidents and because some training issues present in those cases may no longer be valid. Accidental deaths or murders which occurred when the victim officer was not acting in an official capacity are not included in this study.

Two additional areas of analysis have been included in the study: (1) Current agency policies and training procedures as they relate to officer safety issues; and (2) felonious assaults against peace officers in which a firearm was used and which resulted in serious injury or could have resulted in serious injury or death. In order to develop an extensive data base from which causational factors can be inferred, it was necessary to include these violent assaults against officers. We have limited our research of assaults to those occurring with firearms since the majority of officer killings have occurred with some type of firearm.

Data Collection Process

Data has been or is being collected using three methods: (1) An in-depth review of official records; (2) personal interviews with individuals familiar with the cases; and (3) mailed surveys.

There were a total of 44 peace officers feloniously killed in the course of their employment during the time period of this study. These deaths represent 41 separate incidents and 28 individually involved agencies. In order to achieve maximum research validity and respect the sensitivity of these incidents, POST staff personally visited each of these agencies and reviewed the cases.

The questionnaires on Peace Officer Assaults and Policies and Training Procedures were mailed to a total of 537 agencies. The survey agencies include all police and sheriffs' departments, the California Highway Patrol, U.C and C.S.U. campuses, community colleges, District Attorneys, Marshals, and several other agencies.

A total of 430 agencies or 81% of the 537 agencies included in the study have completed their response to the mailed questionnaires. An additional 47 agencies have communicated with POST staff and indicated their commitment to participate in the study. This totals to an 89% response for the project.

Many large agencies throughout the State have requested additional time to complete the documentation of assault cases. They have found it very difficult to retrieve the information from their files, but are anxious to participate. They have been assured that the information will be integrated into the final report to the Legislature.

Analysis of the Data

Due to the complexity of the data entry programs and the delayed response by many of the law enforcement agencies, we have not been able to complete a statistical analysis of the data so that it could be included in this report.

CONCLUSION

AB 1911 directed POST to conduct the Peace Officer Killing Study and submit a report to the Legislature by December 31, 1986. The study is still in progress and the analytical phase delayed pending completion of the survey work. At this time, it is anticipated that a preliminary report can be forwarded to the Legislature by the due date, and that final proposals will be ready for Commission review at the January 1987 meeting.

The report called for by AB 1911 is, of course, of great significance and warrants the investment of additional time if needed in its preparation. The Commission may wish to consider an ad hoc committee to review and approve a staff-prepared report prior to the December 31 deadline.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Approval to Negotiate Contract for Shoot/No-Shoot Simulator		Meeting Date October 23, 1986
Bureau Training Program Services	Reviewed By Harold Snow	Researched By Lou Travato/Jim Holts
Executive Director Approval <i>Norman C. Boehm</i>	Date of Approval 10-7-86	Date of Report September 19, 1986
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact		<input checked="" type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission authorize the Executive Director to negotiate a contract with the County of Los Angeles to develop a Shoot/No-Shoot Training Firearms Simulator System for use by officers Statewide at a cost not to exceed \$557,000.

BACKGROUND

The 1985/86 POST Budget contained an augmentation for "Specialized Training for Peace Officers in Critical, Liability-Causing Subjects," which includes a study to determine the feasibility of developing simulators or simulation systems to more effectively train officers in exercising good judgement under stress in shoot/no-shoot situations. Traditional instructional techniques have limited ability to closely simulate street conditions and the stresses they induce.

At its January 1986 meeting, the Commission authorized staff to prepare and distribute a Request For Proposal (RFP) for a Shoot/No Shoot Firearms Training Simulation System. The RFP was completed and distributed to 110 potential vendors. Subsequently, the firm of ISW in Utah, was selected and approved by the Commission as the intended vendor. However, during the appeal phase, a vendor, whose proposal was not accepted, formally protested the selection process on the grounds that the RFP should have been issued under the State's EDP (Electronic Data Processing) procedures, instead of the RFP process. In an unprecedented decision, the protest was upheld by the State Board of Control. The State's EDP procedures are complex and time consuming. An EDP procedure process would require an excessive time period and pose considerable uncertainty about additional protests.

ANALYSIS

In evaluating the complexities of the State's EDP acquisition process and the time frame required, alternative approaches for the Shoot/No-Shoot Simulator were considered. If POST continued with this process, the end product - the simulator system - after development would be sublet to a local agency with a training center to be incorporated into other training activities and made available to personnel from around the State.

A viable alternative would be for POST to contract with a local agency initially to develop the simulator and provide the subsequent training. This approach is attractive for two reasons: (1) local agencies have less restrictive and more expeditious requisition procedures, and (2) the selected local agency would be involved in the development process of the system, thus making their staff more aware of its potentials and eager to incorporate it into a total training program.

In selection of a potential local agency for both subcontracting the development of the simulator and providing the subsequent training to personnel from around the State, several factors were considered. The local agency must currently serve as a regional training center for numerous law enforcement agencies, have other weapons training facilities to potentially merge with the simulator for a total training concept, have a technical and media production unit, and be within close proximity to various transportation and lodging services.

The Los Angeles Sheriff's Department clearly meets all of these criteria. Sheriff Block has indicated his Department's willingness to assist POST and the State in the development of this innovative training technology, providing the details of the contract are mutually agreeable to POST and the County of Los Angeles.

It is envisioned that the contract would generally specify that POST will provide the County of Los Angeles, and specifically the Sheriff's Department, with sufficient funds, up to the original commitment of \$557,000, for their development of the Shoot/No-Shoot Simulator, along with funding for the Weapons Training Advisory Committee meetings to support the technical design of the system. Major funding commitments between Los Angeles and sub-vendors would require POST approval. The contract period would be one year from the date of contract approval.

At the end of the development contract, the Sheriff's Department would retain ownership of this simulator system. In exchange for this ownership, it would agree to continually provide simulator training to law enforcement personnel from around the State at a POST-approved tuition rate, and would agree to assist in replicating the system at other training sites.

This concept for development of the Shoot/No-Shoot Simulator not only will expedite its realization but will provide greater continuity for its ultimate intended inclusion into a total training program.

RECOMMENDATION

Authorize the Executive Director to negotiate and sign a contract with the County of Los Angeles or other unit of local government to develop the Shoot/No-Shoot Simulator System at a cost not to exceed \$557,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Request for POST Management Fellow		October 23, 1986
Bureau	Reviewed By	Researched By
Training Program Services	Glen Fine	Hal Snow <i>HS</i>
Executive Director Approval	Date of Approval	Date of Report
<i>Morgan C. Beebe</i>	10-2-86	September 16, 1986
Purpose:		
<input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<input checked="" type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No
Financial Impact		

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission approve a contract to secure six months services of a POST Management Fellow to develop the Supervisory Leadership Institute at a cost not to exceed \$50,000?

BACKGROUND

The Commission has previously recognized the value of the POST Management Fellowship Program in providing supplemental research assistance to POST from time to time on special projects that would otherwise have to be postponed. The program has benefit to POST, the individuals selected, and California law enforcement.

ANALYSIS

The Commission at its October 1985 meeting directed staff to develop a Supervisory Leadership Institute that would improve the leadership capabilities of existing first-line, sworn supervisors, e.g., sergeants. Preliminary research has been conducted in the form of assembling relevant literature, one-on-one interviews with selected police executives and trainers, and the identification of potential approaches for developing the Institute. Before a proposal can be brought before the Commission, considerably more research and development is necessary including obtaining broad-based field input, developing curriculum, procedures, eligibility requirements, costs, etc. Because of other priority workload, staff has been unable to expedite work on this project in a manner which would bring about closure in a reasonable amount of time. Therefore, it is recommended that POST contract with a local unit of government to secure a POST Management Fellow.

It is estimated that this research will require no more than six months full-time services of a Management Fellow who would be selected provided the Commission approves. If the Commission approves, a contract will be entered into with the local employing jurisdiction that would include the individual's salary and fringe benefits (estimated maximum \$45,000) and long-term per diem if necessary (estimated maximum \$5,000), for a total maximum cost of \$50,000.

RECOMMENDATION

Approve a contract with a local employing jurisdiction to secure six months services of a POST Management Fellow to develop the Supervisory Leadership Institute at a cost not to exceed \$50,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT			
Agenda Item Title San Francisco Patrol Special Officer		Meeting Date October 23, 1986	
Bureau Executive Office	Reviewed By		Researched By Michael C. DiMiceli
Executive Director Approval <i>Norman C. Boehm</i>	Date of Approval 10-7-86		Date of Report
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact		<input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No	

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Review of options for Commission's recognition of San Francisco Special Officers.

BACKGROUND

In March 1986, the San Francisco City Attorney, George Agnost, sent to POST Executive Director Norm Boehm, a letter stating, "... it is my conclusion that Patrol Special Officers are ... San Francisco ... police officers and peace officers within the meaning of Section 830.1 ... of the Penal Code" The letter concluded: "If POST does not announce its intention to train Patrol Specials ... the City will file a lawsuit against POST seeking appropriate relief...."

The issue was placed on the agenda and considered by the Commission at the April 1986 meeting.

At the meeting, the Commission accepted public testimony and considered the issue in executive session. Following the executive session, the Commission passed a motion directing additional study of the issue with a staff report of other options at the July 1986, meeting.

At the July meeting, the Commission received the staff report and additional public testimony on the issue. The Commission also accepted twenty-eight documents submitted by Mr. Steven Diaz, attorney for the San Francisco Patrol Special Officer Association.

Following an executive session to review the report and testimony, the Commission directed staff to:

- provide each Commissioner with a copy of the documents,
- review the documents and other pertinent information, and
- present a report and recommendation to the Commission at the October meeting.

ANALYSIS

A summary report of the staff study of the San Francisco Patrol Special Officer and Assistant Patrol Special Officer was submitted to the Commission at the July meeting. A copy of that report is attached.

The public testimony at the July meeting repeated positions and information presented to the Commission in April. No new issues were raised in the testimony.

Of the twenty-eight documents received by the Commission, seventeen were previously included in the staff study. The remaining documents did not raise new points nor add significant information that was not previously available.

Accordingly, the conclusions and recommendation presented in the July staff report are appropriate for this report. Our attorney has reviewed all of the documents and information pertinent to this issue and concurs with our position.

RECOMMENDATION

Decline to recognize the Patrol Special Officer as a peace officer defined in Penal Code Section 830.1.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title San Francisco Patrol Special Officers		Meeting Date July 24, 1986
Bureau Executive Office	Reviewed By	Researched By Michael C. DiMiceli <i>di-</i>
Executive Director Approval <i>Norman C. Boehm</i>	Date of Approval 7-9-86	Date of Report
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No		
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		

ISSUE

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BACKGROUND

In March 1986, the San Francisco City Attorney, George Agnost, sent to POST Executive Director Norman Boehm, a letter stating, "... it is my conclusion that Patrol Special Officers are ... San Francisco ... police officers and peace officers within the meaning of Section 830.1 ... of the Penal Code ...". The letter concluded; "If POST does not announce its intention to train Patrol Specials ... the City will file a lawsuit against POST seeking appropriate relief."

The issue was placed on the agenda and considered by the Commission at the April 1986 meeting.

In attendance at the meeting and providing testimony on the issue were:

- o Mr. George Agnost, San Francisco City Attorney, and staff;
- o Commander Richard Klapp, representing Chief of Police Frank Jordan;
- o Dr. David Sanchez, President, San Francisco Police Commission; and
- o Steven Diaz, Attorney, representing San Francisco Patrol Special Officers Association.

Mr. Agnost repeated his conclusion that patrol special officers are 830.1 P.C. peace officers, like the "regular" members of the department. Accordingly, he contended, the patrol specials must be accepted and trained by POST. Dr. Sanchez and Mr. Diaz supported this position.

Commander Klapp described the conflicting position of Chief of Police Jordan, and the endorsement of that position by San Francisco Mayor Diane Feinstein. The position of Chief Jordan is that patrol special officers do not have the same status as regularly sworn San Francisco police officers. Further, the Chief of Police recommended the patrol special officers be designated as auxiliary or reserve, as described in 830.6 P.C.

At the conclusion of the testimony, the Commission considered the issue in executive session. Following the executive session, the Commission passed a motion directing additional study of the issue with a staff report of other options at the July 1986, meeting. Prior to the motion for a study of other options, there was an expression, without motion, of the Commission's inability to recognize the Patrol Special Officers as 830.1 P.C., peace officers based upon the evidence received.

ANALYSIS

The study was structured to review the Patrol Special Officer, Assistant Patrol Special Officer, and Civil Service Q-2 Police Officer positions. The analysis included recruitment, selection, training, rules, procedures, duties, supervision and management, conduct and discipline. The study included personal interviews, examination of documents and files, visits to police district stations, and "ridealong" with Patrol Special Officers.

For the purposes of the study and analysis, the Patrol Special Officer and the Assistant Patrol Special Officer are considered to be equivalent positions. The assistant performs the same function and provides the same services as the PSO for whom he works. Where the study noted differences in the positions, the report describes those differences.

Summary of the Patrol Special Officer

Simply described, the Patrol Special Officer (PSO) provides, for the most part, security and traffic enforcement services to paying customers within an assigned geographic territory, or beat. (The PSO acquires a beat subject to approval by the San Francisco Police Commission.) The transfer of ownership of a beat from one PSO to another is the result of a negotiated contract of sale between the two individuals, reviewed by the Legal Section of SFPD, and approved by the Police Commission. Within the assigned beat, the PSO may solicit customers, define the services and working conditions with the individual customer, and accept payment for services directly from those customers. In addition, the PSO may petition the Chief of Police for the appointment of Assistant Patrol Special Officers (APSO) to assist in providing the contract services on the beat. The PSO sets the working conditions, defines the duties, provides direct supervision, and pays the wages, including the required contributions to state and federally-administered benefit programs, for each assistant working the beat.

The City of San Francisco is entirely "covered" by 65 distinct patrol beats; the boundaries of each beat are subject to the approval of the Police Commission. Information available from SFPD identifies 31 beat owners, Patrol Special Officers, and 67 Assistant Patrol Special Officers. Approximately 10 beats are worked by the owner, without assistance. Most owners employ assistants to provide service during the required hours. In some instances a reciprocal agreement between beat owners provides coverage of two or more beats. An assistant may work for several beat owners, on a number of different beats. Some beat owners and assistants work part-time on the beat and work in other occupations at the same time. In some cases a beat has been passed from father to son by contract or as a portion of an estate. Two officers are reputed to be third generation specials; one beat has been owned and worked by the same family since 1929.

A variety of services may be performed for each customer. The hours of coverage, or service, the monthly fee for services, and the specific services to be performed are included in the negotiated agreement between the beat owner and each customer.

The PSO may, at his discretion, respond to SFPD radio assignments within his beat, or take action on incidents occurring in his presence.

Among the Patrol Special Officers, there is disagreement about the scope of the duties, responsibilities, and actions that are appropriate for their position.

Summary of Applicable Laws, Rules, and Policies

No legal opinions or interpretations of law are presented in this summary; such opinions and interpretations are beyond the scope of the study. Pertinent law, and internal rules and policies, as written, are described.

The Patrol Special Officer is treated differently in the law, and rules and policies of SFPD, from the Q-2 Police Officer. The term, "regular member," for example, is a commonly used and understood reference to a civil service appointed police officer and clearly distinguishes that officer from a Patrol Special Officer.

The Patrol Special Officer and another position, Special Police Officer, are described in separate sections of the San Francisco City Charter.

Charter Section 3.536, describes the Patrol Special Officer. This section does not specifically define the employment status nor peace officer status of the PSO. Assistants are not mentioned in this section, or any other.

A Special Police Officer position is described in Charter Section 3.535. The chief of police may appoint this officer upon the petition of any person. The officers shall be subject to all of the rules of the department. This is the same process by which an Assistant Patrol Special Officer is appointed. The files of some assistants include a certificate of appointment entitled "Special Police Officer". This certificate however, apparently has not been used for several years. The City Attorney was, at the time of our conversation, uncertain if this section specifically provides the authority for the assistants.

The charter does not include the PSO in the civil service, health service, or retirement systems. The charter provides worker's compensation benefits to the PSO in limited situations. Section 8.515 states:

"Every patrol special police officer ... shall be entitled under this section, to the benefits of such compensation law, if injured while performing regular city and county police duties, which shall include only duties performed while preventing the commission of a crime, or while apprehending the person ... committing such crime, and shall not include duties of any character performed for private employers either on or off the premises of such employers...." (emphasis added).

Both the Penal Code, and the Business and Professions Code discuss the PSO.

Penal Code Section 12031, prohibits carrying a loaded firearm on the person or within a vehicle in public and describes the specific exemptions to this section. Subsection (b)(1) exempts peace officers listed in Section 830.1 or 830.2. Subsection (c) exempts persons who have completed "a regular course in firearms training" approved by POST including: "(1) Patrol special officers..." The language of 12031(c)(1) is nearly verbatim the language contained in the charter at Section 3.536. The assistant patrol special officer is neither mentioned by title nor described in this section.

Section 7521, Business and Professions Code, defines the classes of business required to be licensed by the Department of Consumer Affairs. Included in this section are the private investigator and private patrol operator. Section 7522 describes specific exemptions to the license requirement. Subsection (e) exempts "Patrol special officers..." The language of 7522(e) is nearly verbatim the language contained in the charter at Section 3.536. The assistant patrol special officer is neither mentioned by title nor described in this section. Subsection (k) exempts peace officers who work off-duty in certain situations. The subsection specifically requires however, a peace officer to be licensed to operate as a private investigator or private patrol operator.

In 1970, SFPD extracted from the Manual of Rules a group of rules, policies and procedures applicable to the PSO and created a specific manual for their use. The Manual of Rules and Procedures for Patrol Special Officers and Assistant Patrol Special Officers of the San Francisco Police Department was adopted by resolution of the commission in September 1970. The rules and procedures are in effect today, as modified by orders issued later by the Chief of Police. The rules include:

- 1.80(2) In any advertising or solicitation of accounts, written or verbal, Patrol Special Officers are to affirmatively state that they are not members of the regular San Francisco Police Department and that the services they offer are in addition to patrol provided by regular members of the Police Department. They are also to affirmatively state that contracts for their services are strictly voluntary.
- (3) In any advertising or solicitation of accounts, written or verbal, Patrol Special Officers are not to state or imply that there are crime conditions in any area beyond the ability of the regular Police Department to control.
- 3.405 Shall at all times preserve the peace, prevent crime, detect and arrest offenders and enforce all criminal laws and penal ordinances.
- 3.407 Shall observe the terms of his contractual relationship with the person who subscribes to his services. He shall assume an obligation to enforce the law, preserve the peace, and protect life and property in all cases involving the direct and immediate interest of the person or persons who solicit his services for a consideration.

- 3.411 Shall summon a regular member, or make courteous and proper referral, whenever a person asks him to accept a report of a police incident.
- 3.413 Shall call the attention of a regular member to all incidents requiring police attention that confront him during his duty tour, except those which he has properly disposed of through his own action.
- 3.427 Shall be subject to the orders of the senior regular member present when involved in police duty.
- 9.37 Shall be considered negligent if he fails to discover any illegal entry into premises of his clients where evidence of such illegal entry could be observed by the exercise of due care.

General Order No. 100, issued in June 1973, states:

"It is Department policy that Patrol Specials and their Assistants have a primary responsibility for the protection of the persons and property of those people who engage them in private contract, and they are to be discouraged from engaging in any general exploratory police work. This particularly applies to moving traffic work and general field interrogation activity."

Summary of Duties

Patrol special beats are located generally within the geographic boundaries of the SFPD district stations. Some beats however, overlap the boundaries of two stations. The PSO, and the assistants, report to work by signing a daily log kept in the station; they are expected to sign-off when the shift is ended. The specials do not attend the change-of-shift briefings in the station.

Regular police officers assigned to the station are deployed to foot beats or radio (sector) cars. A squad of officers is supervised by a patrol sergeant. The sergeants, including the desk sergeant ("station keeper"), report to a lieutenant watch commander. A schedule of shift and day off assignments is maintained at the station.

Station personnel are generally familiar with the patrol special beats and the officers. Although the rules (3.409) provide for a list of clients at each station, no comprehensive, current lists were found. Similarly, station personnel contacted during the study did not have a work or day off schedule for either the PSO or the assistants. Station personnel generally do not know what PSO or assistant will work on any given day; what beats each will work; or what services are to be provided to specific customers.

The services provided to the customer by the Patrol Special Officer include, but are not limited to:

- o Drop-in or drive-by patrol of the premises during the hours of operation;

- o Security check of the premises prior to closing; setting the intrusion alarm and closing the premises;
- o Security check of premises after hours; response to intrusion alarms;
- o Parking enforcement;
- o Mediation/resolution of customer disputes, including physical arrest as appropriate;
- o Removing loiterers/transients from the property; and
- o Security for storage areas, parking areas and vehicles.

No specific plan or program was identified for the regular and consistent review and supervision of the activities of the PSO by the patrol sergeants. Signing on and off-shift is not monitored and several discrepancies were noted during a review of the log sheets.

The amount of "police work" performed by the PSO is apparently left to the discretion, interest, and assertiveness of the individual officer. Although each PSO and assistant carries a police radio and is assigned a specific call number, they are not considered part of the patrol force for staffing and deployment nor are they routinely assigned to respond to calls for police service. The special may respond, at his discretion, to assist. Many apparently do, particularly if the assignment involves a customer. In addition, officers historically have initiated some action or response, at their discretion, to incidents occurring in their presence. The number and type of incidents in which a PSO initiates some action vary, based apparently on the interest and assertiveness of the individual officer.

The amount of original investigation and incident reporting required of the PSO is minimal, as described by policy and rule. In practice, the work appears to vary among the district stations. The SFPD automated records management system does not recognize the PSO as an "assigned officer" and accordingly, will not issue a report number directly to a PSO.

Alleged misconduct is investigated by SFPD in the same manner, whether the involved officer is a PSO or police officer. Compliments and commendations are handled in the same manner for both positions.

Summary of Options and Conclusions

The Commission has previously received considerable evidence regarding the case for recognition of patrol specials as regular 830.1 P.C. city police officers. The findings of the study presented in this report provide no new evidence in support of Commission certification of the Patrol Special Officer or the assistant as regular police officers. While many factors must be considered, of course, the findings here indicate that special officers are significantly different from, and limited in their duties when compared to, regular SFPD officers.

Other potential options include:

- o Recognition of the PSO as an auxiliary or reserve officer, described by 830.6 P.C., as suggested by Chief of Police Frank Jordan.

If SFPD designates the PSO and the APSO as 830.6 P.C. peace officers, the applicable provisions of 832.6 P.C. and POST regulations immediately attach. All of the officers, according to SFPD records, have completed 832 P.C. training and probably qualify as Level III reserves on that basis. Limitations on the use of Level III reserves, imposed by 832.6 P.C., may conflict with the duties of a PSO and create a problem of compliance for SFPD.

Thereafter, compliance with the requirements for training and use of the officers as Level I or Level II reserves becomes the responsibility of the City and County of San Francisco.

In any case, designation and appointment as any category of reserve officer is a matter that can only be acted upon by the proper local appointing authority. It is not within the Commission's scope of authority to make such a designation. The Commission can only react to designations made by appointing authorities of local agencies participating in the program. If the Patrol Special Officers and assistants are designated as reserve officers, a number of administrative questions and problems arise. Since, at this time, such designation is speculative, it seems appropriate to refrain from further analysis of this option.

- o Recognition of the PSO as a special class of peace officer, as described in other sections of the Penal Code.

Sections 830.2, through 831.6, P.C. describe various types and classes of peace officers. A limited review of those sections does not identify a classification that includes the PSO or the assistant. Accordingly, the PSO does not appear to derive peace officer status from any of the 830.2 through 831.6 P.C. sections.

The definition of the Patrol Special Officer as a special class of peace officer appears to be feasible only by legislative action. Considering the Commission's role in this issue, it is not appropriate to discuss the decisions of local officials regarding such legislation.

Conclusions:

The study supports the following conclusions:

- o The Patrol Special Officer is described separately and differently in the charter and in state law from a regular police officer of SFPD and a 830.1 P.C. peace officer. While

the PSO is mentioned or described specifically in the law, the assistant is not. Accordingly, the status, authority, and responsibility of the assistant is not clear. Their status is not well defined when compared with the patrol special.

- o The Patrol Special Officer has, historically, been treated differently from the regular police officer, in the rules, policies, procedures, and day-to-day activities of SFPD.
- o Disagreement exists among officials of the City and County of San Francisco, members of SFPD, and the Patrol Special Officers concerning the proper status, duties, and authority of the PSO and the assistants.
- o The determination of the specific legal designation of the peace officer status of the Patrol Special Officer apparently is outside the scope of the ministerial responsibilities with which the Commission is charged.

Accordingly, the issue presented by the City Attorney appears to require solution by judicial or legislative remedy.

- o No evidence was developed during the study to suggest reconsideration of the request of the City Attorney that the Commission accept the Patrol Special Officers as 830.1 P.C. peace officers for the purposes of certificates and training.

RECOMMENDATION

Decline to recognize the Patrol Special Officer as a peace officer defined in Penal Code Section 830.1. Because the Commission has no basis to define the status of this position, clarification of their status rests with City and County of San Francisco or legislative/legal action.

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07-08-86

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Area Chief Executive Workshops		Meeting Date October 23, 1986
Bureau Management Counseling Servs.	Reviewed By	Researched By Michael C. DiMiceli <i>Me</i>
Executive Director Approval <i>Norman C. Behm</i>	Date of Approval	Date of Report October 7, 1986
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No		
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		
<p><u>ISSUE</u></p> <p>Should POST authorize a paid facilitator at Area Chief Executive Workshops?</p> <p><u>BACKGROUND</u></p> <p>At the July 1986 Commission meeting, there was a request that POST provide a paid facilitator for Area Chief Executive Workshops. The report for that meeting is attached. Following testimony and discussion on the issue, the Commission asked staff to review the issue, estimate cost impacts, and report back at the October meeting.</p> <p><u>ANALYSIS</u></p> <p>The Commission supports a variety of innovative training and development activities for law enforcement executives. These include certified training courses and seminars, Command College, and executive seminars tailored to regional needs. In addition to these services, in 1984 the Area Chief Executive Workshop program was established. These workshops are presented in a problem-solving format to address issues of common interest to POST and the participating agencies. The workshop agenda consists of regional and interagency issues. The workshop presents a forum for local executives whose interest, problems, and geography create a need for common planning and problem-solving in standards, training, and operations.</p> <p>The focus of the workshop agenda is on interagency and POST-related issues and concerns. A POST consultant attends the workshop. Another person is sometimes appointed or designated to guide and facilitate the problem-solving process. The facilitator acts to keep the agenda moving and the workshop focused on the agenda. In each workshop since 1984 in which an outside facilitator has been engaged, the participating local agencies have shared the non-reimbursable cost of those services.</p> <p>Current policy and practice utilize one of the following persons to facilitate the workshop:</p> <ul style="list-style-type: none"> • a member of the workshop, • a POST Senior Consultant, or • an outside facilitator. 		

The Commission expressed interest in funding facilitators for the Area Chief Executive Workshops and requested further study by staff. For the purposes of this report, a clear distinction is drawn between a consultant and a facilitator/conference leader. The following addresses proposed rates, fiscal impact and procedural issues.

Policy and guidelines for the use of a private facilitator in an area workshop should ensure that:

- the facilitator is mutually acceptable to POST and the participating agencies,
- the facilitator performs a non-evaluative, neutral role and employs skills designed to help focus group activities on completing the workshop agenda,
- the facilitator does not present specific subject matter training, proprietary material, or engage in marketing consultive services within the structure of the workshop,
- the fee for workshop facilitation is established at the hourly rate approved for Team-Building Workshop facilitators. That hourly rate is currently \$35, and
- compensation is limited to those hours and activities on-site, during the workshop. This is recommended because the facilitator's role in this workshop should be limited to conference leading as necessary to process the agenda. Consulting activities generally recognized as "pre-work" and implementation assistance are not required.

The cost to the POTF if a private facilitator is used for each area workshop is difficult to estimate. The fee for one 40-hour workshop would be \$1,400 (40 hours x \$35.00). Twelve workshops were presented in FY 1985-86. \$16,800, maximum, would have been paid to private facilitators, in addition to the costs for travel and subsistence.

If POST payment for facilitation, and other factors, result in increased use of the workshop, perhaps 24 workshops may be presented in FY 1986-87. The facilitation costs for those workshops would be approximately \$33,600, in addition to travel and subsistence reimbursement.

Direct compensation to the workshop facilitator from the POTF is a unique situation in the reimbursement and compensation mechanism because the facilitator in these workshops would not be working for a certified program presenter. Private consultants are, according to current policy, compensated from Peace Officer Training Fund (POTF) only when directly serving POST or presenting certified training.

The mechanisms that are available to compensate the workshop facilitator are:

- Personal services contract between the individual facilitator and POST for each workshop.

This alternative requires control agency approval of a sole source contract for each workshop. In the absence of sole source contract approval, each contract would be subject to a bid process administered by the Department of General Services.

- Certification of each facilitator, definition of the workshop as a training course, and payment of tuition for the workshop.

This alternative would require each prospective facilitator to conform to the procedures for training course certification and presentation. Workshop costs would increase as a result of indirect costs allowed in course certification.

The most desirable mechanism is to execute a personal services contract with each facilitator. In this manner, POST is able to retain flexibility in the selection of facilitators. Because state laws and procedural requirements for contracting with sole source approval are outside of POST control, this approach may not prove effective. Staff prefer to try this approach first and adjust if necessary.

The administrative costs to POST associated with this contract process cannot be estimated at this time.

Conclusion

With Commission approval to pay the cost of workshop facilitation, three options would exist for area executives. They may:

- utilize an "internal" facilitator, either a member of one of the participating agencies or a POST consultant,
- share the cost of an outside, private facilitator, or
- Have POST pay the facilitator directly, subject to state contract laws, procedures, and requirements.

Commission policy, established in 1975, specifically prohibits the use of POTF monies to subsidize the employment of private consultants by a local agency. Consistent with this policy, and course certification guidelines and regulations, no current POST-certified program employs an outside consultant except the Team Building Workshop program, where a POST-certified presenter facilitates a workshop for the management team of a single agency. It is recommended that the 1975 policy be reaffirmed and that the employment of workshop facilitators be viewed as an exceptional activity of limited scope.

It is important that POST programs, local agency needs, and the POTF be protected from the widespread marketing of consultant services. The workshops, especially those employing an outside facilitator, must continue to be "issue-driven," responsive to the needs of the participants, and not duplicate the training and consulting programs of the Commission.

RECOMMENDATION

Staff recommends the Commission authorize payment of a facilitator, within the context discussed in this report, upon prior approval of the Executive Director.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Area Chief Executive Workshops: Facilitator Salary		Meeting Date July 24, 1986
Bureau Executive Office	Reviewed By	Researched By D. Beauchamp
Executive Director Approval <i>Norman L. Becken</i>	Date of Approval	Date of Report July 7, 1986
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No		

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Issue

Should POST provide funds to pay the cost of a facilitator's salary for the Area Chief Executive Workshops?

Background

At the June 28, 1984 Commission meeting, the Long Range Planning Committee recommended that regional workshops for chief executives, which had been held on a limited basis in the past, be provided on a continuing basis. As a result of this decision, POST initiated a new form of planning and problem solving programs for law enforcement chief executives titled "Area Chief Executive Workshops". This vehicle was designed to provide greater opportunities for executives to meet and discuss common problems in standards, training and operations and develop plans to meet these problems. The guidelines developed for these programs provided that the seminars would not be of more than 40 hours duration on a one-time-per-year basis. Participants are limited to agency heads. POST reimbursement is restricted to travel and per diem only, for both the participants and the facilitator, if one is utilized.

In addition to the above described workshops, the Center for Executive Development also sponsors Chiefs' and Sheriffs' Regional Training Seminars for chief executives within a geographical area. These training courses are organized in a more traditional training format, with course outlines prepared and instructors assigned to topical areas. Although this program does provide for the payment of instructor fees, again there is no provision for payment of a facilitator's salary.

During September of 1985, POST sponsored a 2 1/2 day Chiefs' and Sheriffs' Regional Training Seminar for the Los Angeles County Police Chiefs' Association. Twenty-seven Chiefs of Police attended this training. The training seminar was coordinated by POST staff, with the fees of the two instructors (Marty Mayer and Mel LeBaron) paid by POST. The participants were provided normal travel/per diem expenses.

Following the conclusion of this training seminar, the attending chiefs concluded that a series of "problem solving" meetings of small groups would be beneficial to address some of the major problems discussed by the Chiefs. To assist in this process, the Chiefs' Association proposed that POST underwrite the costs of the "problem solving workshops" and, in addition, provide for the employment of a facilitator (Mel LeBaron) to coordinate the various meetings.

Based on current policy, this request was denied by the Executive Director. As a result, the Los Angeles County Police Chiefs' Association is appealing this decision to the Commission.

Analysis

The original intent of the Commission in establishing regional workshops for chief executives seems clear. The purpose was to provide local law enforcement chief executives, and other top people in the criminal justice system, the opportunity to get together as often as annually to discuss local problems of mutual concern and of interest to POST regarding standards and training. It was envisioned that these workshops would be informal in nature, with the coordination/facilitation being handled by one or more members of the group or by POST. POST assistance in the form of reimbursement for out-of-pocket expenses (travel/per diem) would ensure that agency heads had the financial means to attend.

When it became obvious in recent years that an additional vehicle was necessary to provide for the regionalized training of the same chief executives, the Chiefs' and Sheriffs' Regional Training Seminars were initiated. These programs, in addition to paying for out-of-pocket expenses, also allow for instructors salaries to be paid by POST. As with the workshops, coordination of these programs is handled directly by POST.

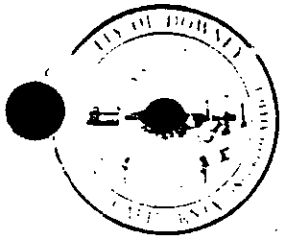
In both the workshops and training programs, there has been no identified need for the employment of a professional facilitator. These programs are not team building in nature, and do not address the kinds of issues and problems that would normally be associated with the use of a facilitator.

Since the inception of the Chief Executive Workshops in 1984, the program has worked well for a number of areas across the State, within the original guidelines that were established. The informal nature of the workshops has allowed the chief executives to essentially set their own agenda, while not requiring a large expenditure of POST funds on what is obviously a local program. A revision of the guidelines to allow for the salary reimbursement, in addition to the currently allowed travel and per diem, of a professional facilitator would be a major change from the original concept.

Certainly the ideas and wishes of the Chiefs are held in high regard. The establishment of the area executive workshops was in itself an extension by the Commission of a new program of benefit to top executives. If a training need is not being met, that can be addressed. However, the statewide implications of associations insisting on specific facilitators by name for regional-type team building workshops is beyond the scope of our understanding of Commission desires.

Recommendation

It is recommended that the Commission reaffirm the current policy on Area Chief Executive Workshops which provides for the reimbursement of travel and per diem expenses for a facilitator, but makes no provision for salary reimbursement.



City of Downey

FUTURE UNLIMITED

POLICE DEPARTMENT

June 20, 1986


Norman C. Boehm
Executive Director
Commission on Peace Officer
Standards and Training
P. O. Box 20145
Sacramento, CA 95820-0145

Dear Norm:

I have been instructed by the Los Angeles County Police Chiefs Association to request that you place on the POST Commission agenda for July 24, 1986, the request for POST funding of a facilitator (such as Mel LeBaron).

It is our belief that this is essential in order to continue the work we have already begun.

Sincerely,


William F. Martin
Chief of Police
DOWNEY POLICE DEPARTMENT

WFM:mj

98. H3 ST 1 2 TOP

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083



Commission on Peace Officer Standards and Training
Legislative Review Committee Meeting
October 23, 1986, 9:00 a.m.
Griswold's Inn - Chart Room
Claremont, California

AGENDA

1. Final Report on 1986 Legislative Session
2. Proposed Legislation for 1987 Session
 - P.C. 832 Testing
 - Selection and Training Standards for Dispatchers
 - Commissioner Compensation
3. Open Discussion
4. Adjournment

 * COMMISSION ON POST 10/02/86 SUMMARY REPORT *

 BILL-FILE - COMMISSION ON POST-MASTER
 COMMENTS - ACTIVE LEG

AB 49 HAZARDOUS MATERIALS: ENFORCEMENT
 ELDER

SUMMARY: THIS BILL WOULD ENACT THE LOCAL TOXICS ENFORCEMENT
 08/26/86 AND TRAINING ACT OF 1986 AND WOULD ESTABLISH
 WITHIN THE OFFICE OF CRIMINAL JUSTICE PLANNING A
 PROGRAM TO PROVIDE GRANTS TO PROVIDE TRAINING
 PROGRAMS IN THE ENFORCEMENT OF HAZARDOUS MATERIALS
 LAWS FOR PEACE OFFICERS, LOCAL PUBLIC HEALTH AND
 ENVIRONMENTAL OFFICERS, AND LOCAL PUBLIC
 PROSECUTORS, AND TO ENHANCE LOCAL HAZARDOUS
 MATERIALS ENFORCEMENT EFFORTS.

FISCAL

NOTES: REQUIRES POST TO PROVIDE TRAINING IN HAZARDOUS
 MATERIALS LAWS TO LOCAL LAW ENFORCEMENT OFFICERS

STATUS: VETOED

SUBJECT	POSITION	COMMENTS
TRAINING	NEUTRAL	ACTIVE LEG

 AB 1988 CRIMINAL TRIALS AND INVESTIGATIONS
 WATERS, N

SUMMARY: UNDER EXISTING LAW AND UNTIL JANUARY 1, 1989,
 02/11/86 COUNTIES WITH A POPULATION OF 300,000 OR LESS MAY
 RECEIVE REIMBURSEMENT FROM THE STATE, WITHOUT
 REGARD TO FISCAL YEAR, OF 90% OF THE COSTS
 INCURRED BY THE COUNTY FOR EACH HOMICIDE TRIAL OR
 HEARING.
 THIS BILL WOULD ALLOW A COUNTY WITH A POPULATION
 OF 150,000 OR LESS TO OBTAIN REIMBURSEMENT, REVISE
 THE AMOUNT OF REIMBURSEMENT THAT A COUNTY FOR ANY
 AND ALL HOMICIDE TRIALS.

URGENCY FISCAL

NOTES: REQUIRES POST TO REVISE CHILD ABUSE GUIDELINES

STATUS: CHAPTERED 86-32

SUBJECT	POSITION	COMMENTS
POST RELAT	NEUTRAL	ACTIVE LEG

 * COMMISSION ON POST 10/02/86 SUMMARY REPORT *

 BILL-FILE - COMMISSION ON POST-MASTER
 COMMENTS - ACTIVE LEG

 AB 2156 PEACE OFFICER TRAINING.
 KLEHS

SUMMARY: EXISTING LAW REQUIRES THE TRAINING OF PEACE
 01/06/86 OFFICERS AND TO ALLOW REQUIRED TRAINING TO BE
 OBTAINED AT APPROVED INSTITUTIONS. IN LIEU OF
 TRAINING AT AN INSTITUTION, THE COMMISSION IS
 REQUIRED TO PROVIDE THE OPPORTUNITY FOR TESTING
 OF THOSE PERSONS WHO HAVE ACQUIRED PRIOR
 EQUIVALENT PEACE OFFICER TRAINING AND ARE UNDER
 CONSIDERATION FOR HIRE BY AN AGENCY PARTICIPATING
 IN THE PEACE OFFICER STANDARDS AND TRAINING
 (POST) PROGRAM. THIS BILL WOULD DELETE THE
 REQUIREMENT THAT PERSONS ELIGIBLE FOR TESTING
 MUST BE UNDER CONSIDERATION FOR HIRE BY AN AGENCY
 PARTICIPATING IN THE POST PROGRAM.

NOTES: REMOVES RESTRICTION RELATING TO BEING UNDER
 CONSIDERATION FOR HIRE BEFORE TAKING POST BCWE

STATUS: CHAPTERED 86-33

SUBJECT	POSITION	COMMENTS
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TRAINING	SUPPORT	ACTIVE LEG

* COMMISSION ON POST 10/02/86 SUMMARY REPORT *

BILL-FILE - COMMISSION ON POST-MASTER
COMMENTS - ACTIVE LEG

AB 2657 MATERIALS MANAGEMENT TRAINING PROGRAM
ELDER

SUMMARY: THIS BILL WOULD ESTABLISH THE COMMISSION ON
04/03/86 HAZARDOUS MATERIALS MANAGEMENT TRAINING WITHIN THE
DEPARTMENT OF HEALTH SERVICES.

FISCAL

NOTES: PROVIDES THAT POST BE REPRESENTED ON NEW
COMMISSION ON HAZARDOUS MATERIALS MANAGEMENT
TRAINING.

STATUS: ASSEMBLY COMMITTEE ON ENVIRONMENTAL SAFETY

Dead

SUBJECT	POSITION	COMMENTS
TRAINING	NEUTRAL	ACTIVE LEG

AB 2702 HAZARDOUS SUBSTANCES:
LAFOLLETTE INCIDENT RESPONSE TRAINING

SUMMARY: THIS BILL WOULD REQUIRE THE OFFICE OF EMERGENCY
08/18/86 SERVICES TO ESTABLISH THE CALIFORNIA HAZARDOUS
SUBSTANCES INCIDENT RESPONSE TRAINING AND
EDUCATION PROGRAM.

URGENCY FISCAL

NOTES: PROVIDES THAT POST BE REPRESENTED ON CURRICULUM
DEVELOPMENT ADVISORY COMMITTEE FOR THE CALIFORNIA
HAZARDOUS SUBSTANCE INCIDENT RESPONSE TRAINING AND
EDUCATION PROGRAM.

STATUS: CHAPTERED

86-1503

SUBJECT	POSITION	COMMENTS
TRAINING	NEUTRAL	ACTIVE LEG

* COMMISSION ON POST 10/02/86 SUMMARY REPORT *

BILL-FILE - COMMISSION ON POST-MASTER
COMMENTS - ACTIVE LEG

AB 2791 CHILDREN
DAVIS, G

SUMMARY: THIS BILL WOULD MAKE VARIOUS PROVISIONS RELATING
08/28/86 TO MISSING CHILDREN.

FISCAL STATE-MANDATED

NOTES: REQUIRES POST TO PROVIDE TRAINING RELATING TO THE
TRACING OF MISSING PERSONS AND UNIDENTIFIED BODIES

STATUS: VETOED

SUBJECT	POSITION	COMMENTS
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TRAINING	NEUTRAL	ACTIVE LEG

AB 2916 CRIMINAL LAW
STIRLING, L

SUMMARY: EXISTING LAW SPECIFIES THE JURISDICTION OF THE
08/29/86 COURTS FOR CRIMINAL MATTERS. THIS BILL WOULD ALSO
PROVIDE THAT WHERE A MINOR IS THE VICTIM OF
KIDNAPPING AND OTHER CRIMES, THE JURISDICTION
SHALL BE ANY ONE OF SEVERAL SPECIFIED
JURISDICTIONAL TERRITORIES.

NOTES: REQUIRES POST TO PROVIDE TRAINING RELATING TO THE
TRACING OF MISSING PERSONS AND UNIDENTIFIED BODIES

STATUS: IN SENATE--THIRD READING FILE--ASSEMBLY BILLS

Dead

SUBJECT	POSITION	COMMENTS
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TRAINING	NEUTRAL	ACTIVE LEG

 * COMMISSION ON POST 10/02/86 SUMMARY REPORT *

 BILL-FILE - COMMISSION ON POST-MASTER
 COMMENTS - ACTIVE LEG

AB 3883 FIREARMS
 HILL

SUMMARY: 07/09/86 THIS BILL WOULD AUTHORIZE ANY LAW ENFORCEMENT AGENCY WITH CUSTODY OF FIREARMS, OR PARTS OF FIREARMS, WHICH ARE SUBJECT TO DESTRUCTION IN LIEU OF DESTROYING THE FIREARMS TO OBTAIN A SUPERIOR COURT ORDER DIRECTING THE RELEASE OF THESE FIREARMS TO THE SHERIFF FOR RELEASE TO CERTIFIED LAW ENFORCEMENT BASIC TRAINING ACADEMIES FOR INSTRUCTIONAL PURPOSES.

FISCAL STATE-MANDATED

NOTES: ALLOWS USE OF CONFISCATED FIREARMS IN POST BASIC TRAINING COURSES.

STATUS: CHAPTERED 86-768

SUBJECT	POSITION	COMMENTS
TRAINING	SUPPORT	ACTIVE LEG

AB 3945 CORRECTIONAL TRAINING AND RESEARCH
 SHER

SUMMARY: 06/16/86 THIS BILL WOULD REDUCE THE PERCENTAGE OF MONEYS IN THE ASSESSMENT FUND ALLOCABLE MONTHLY TO THE DRIVER TRAINING PENALTY ASSESSMENT FUND FROM 29.73% TO 26.65%, WOULD INCREASE THE ALLOCATION TO THE VICTIM-WITNESS ASSISTANCE FUND TO 11% AND WOULD PROVIDE 2.08% GOING MONTHLY TO THE CORRECTIONS RESEARCH FUND CREATED BY THE ACT.

FISCAL

NOTES: CREATES NEW STATE CORRECTIONS RESEARCH PROGRAM TO BE FUNDED WITH MONIES FROM THE PENALTY ASSESSMENT FUND, THE SAME SOURCE OF MONIES USED TO FUND POST. NO POST MONIES ARE DIRECTLY AFFECTED BY THIS BILL.

STATUS: SENATE COMMITTEE ON APPROPRIATIONS

Dead

SUBJECT	POSITION	COMMENTS
FUNDING	OPPOSE	ACTIVE LEG

 * COMMISSION ON POST 10/02/86 SUMMARY REPORT *

 BILL-FILE - COMMISSION ON POST-MASTER
 COMMENTS - ACTIVE LEG

SB 159 ELECTRONIC SURVEILLANCE
 PRESLEY

SUMMARY: THIS BILL WOULD AUTHORIZE THE INTERCEPTION OF
 06/10/86 WIRE OR ORAL COMMUNICATIONS BY CERTAIN LAW
 ENFORCEMENT OFFICERS UNDER SPECIFIED JUDICIAL
 AUTHORIZATION PROCEDURES.

FISCAL STATE-MANDATED

NOTES: REQUIRES POST TO PROVIDE ELECTRONIC WIRETAP
 TRAINING FOR LOCAL LAW ENFORCEMENT OFFICERS.

STATUS: ASSEMBLY COMMITTEE ON PUBLIC SAFETY

Dead

SUBJECT POSITION COMMENTS

 TRAINING SUPPORT ACTIVE LEG

SB 1020 COURTS
 DOOLITTLE

SUMMARY: EXISTING LAW, APPLICABLE ONLY TO COUNTIES OF THE
 06/11/86 34TH, 43RD, 51ST, AND 54TH CLASSES, PERMITS THE
 BOARD OF SUPERVISORS TO ABOLISH THE OFFICE OF
 CONSTABLE AND TRANSFER THE DUTIES OF THE CONSTABLE
 TO THE SHERIFF OF THE COUNTY. THIS BILL WOULD
 EXTEND THIS AUTHORITY TO ANY COUNTY WITH A
 POPULATION OF 200,000 OR LESS ACCORDING TO THE
 1970 FEDERAL CENSUS, AUTHORIZE THE DUTIES OF THE
 OF THE CONSTABLE TO BE TRANSFERRED TO EITHER THE
 SHERIFF OR THE MARSHAL, AND REQUIRE THE
 CONCURRENCE OF A MAJORITY OF THE JUDGES AFFECTED.

NOTES: PROVIDES THAT CONSTABLES WHO ARE ASSIMILATED INTO
 A SHERIFF'S OR MARSHAL'S DEPARTMENT WOULD NOT BE
 REQUIRED TO MEET POST STANDARDS.

STATUS: CHAPTERED

86-288

SUBJECT POSITION COMMENTS

 STANDARDS OPPOSE ACTIVE LEG

* COMMISSION ON POST 10/02/86 SUMMARY REPORT *

BILL-FILE - COMMISSION ON POST-MASTER
COMMENTS - ACTIVE LEG

SB 1789 COURTS
DAVIS, E

SUMMARY: THIS BILL WOULD SPECIFY THAT A FORMER JUDGE OF A
08/28/86 COURT OF RECORD IN THIS STATE WHO RETIRED OR
RESIGNED FROM OFFICE, OTHER THAN A JUDGE WHO WAS
RETIRED BY THE SUPREME COURT FOR DISABILITY,
SHALL, UPON CERTIFICATION OF THE COMMISSION ON
JUDICIAL PERFORMANCE THAT THERE WAS NO FORMAL
DISCIPLINARY PROCEEDING PENDING AT THE TIME OF
RETIREMENT OR RESIGNATION, BE DEEMED A JUDICIAL
OFFICER FOR PURPOSES OF EXISTING PROVISIONS OF
LAW. THE COMMISSION WOULD BE REQUIRED TO ISSUE
THE CERTIFICATION WHEN NO DISCIPLINARY
PROCEEDINGS ARE PENDING.

FISCAL STATE-MANDATED

NOTES: WOULD REINSTATE POST STANDARDS FOR CERTAIN
CONSTABLES ASSIMILATED INTO A SHERIFF'S OR
MARSHAL'S DEPARTMENT. THIS BILL COUNTERACTS PART
OF THE EFFECT OF SB 1020 PASSED EARLIER THIS YEAR.

STATUS: CHAPTERED 86-1418

SUBJECT	POSITION	COMMENTS
STANDARDS	NEUTRAL	ACTIVE LEG

 * COMMISSION ON POST 10/02/86 SUMMARY REPORT *

 BILL-FILE - COMMISSION ON POST-MASTER
 COMMENTS - ACTIVE LEG

SB 2463 CHILD WELFARE SERVICES: EMPLOYEE TRAINING
 RICHARDSON

SUMMARY: EXISTING LAW REQUIRES THE COMMISSION ON PEACE
 08/18/86 OFFICER STANDARDS AND TRAINING TO PREPARE AND
 IMPLEMENT AN OPTIONAL COURSE OF TRAINING OF
 SPECIALISTS IN THE INVESTIGATION OF CASES IN WHICH
 A MINOR IS A VICTIM OF AN ACT OF ABUSE OR NEGLECT
 PROHIBITED BY THE PENAL CODE. THIS BILL
 WOULD REQUIRE THE COMMISSION ON PEACE
 OFFICER STANDARDS IN CONJUNCTION WITH THE
 DEPARTMENT OF SOCIAL SERVICES, TO ESTABLISH A
 TASK FORCE TO REVIEW AND ADAPT AND RECOMMEND TO
 THE STATE DEPARTMENT OF SOCIAL SERVICES THE
 ADAPTATION OF CURRICULUM FOR THIS KIND OF TRAINING
 PURSUANT TO SPECIFIED GUIDELINES.

URGENCY FISCAL

NOTES: REQUIRES POST TO ALLOW INSTRUCTORS IN A CHILD
 WELFARE WORKER TRAINING COURSE TO ATTEND AN
 EXISTING POST CERTIFIED CHILD ABUSE COURSE.

STATUS: VETOED

SUBJECT	POSITION	COMMENTS
TRAINING	SUPPORT	ACTIVE LEG

 * COMMISSION ON POST 10/02/86 SUMMARY REPORT *

 BILL-FILE - COMMISSION ON POST-MASTER
 COMMENTS - ACTIVE LEG

SCR 53 PENALTY ASSESSMENTS: TRAFFIC ASSESSMENTS:
 DILLS LEGISLATIVE ANALYST STUDY

SUMMARY: THIS MEASURE WOULD REQUIRE THE LEGISLATIVE
 07/03/86 ANALYST TO STUDY THE USE OF PENALTY ASSESSMENTS
 ON TRAFFIC AND OTHER VIOLATIONS, TO ESTABLISH AN
 ADVISORY COMMITTEE AND TO REPORT THEREON TO THE
 CHAIRPERSONS OF THE SENATE JUDICIARY COMMITTEE
 AND OF THE ASSEMBLY PUBLIC SAFETY COMMITTEE BY
 DECEMBER 31, 1987.

NOTES: REQUIRES THE LEGISLATIVE ANALYST TO CONDUCT A
 STUDY OF THE ASSESSMENT FUND, THE SOURCE OF ALL
 POST REVENUES.

STATUS: CHAPTERED R- 120

SUBJECT	POSITION	COMMENTS
FUNDING	OPPOSE	ACTIVE LEG

 SCR 67 PEACE OFFICER STANDARDS AND TRAINING
 SEYMOUR

SUMMARY: THIS MEASURE WOULD DIRECT THE COMMISSION ON
 05/15/86 PEACE OFFICER STANDARDS AND TRAINING TO DEVELOP
 ONE OR MORE PHYSICAL FITNESS PROGRAMS THAT MAY BE
 USED BY LOCAL LAW ENFORCEMENT AGENCIES FOR
 PURPOSES OF MAINTAINING THE NECESSARY LEVEL
 OF PHYSICAL FITNESS SO THAT THE OFFICERS MAY
 PERFORM THEIR SPECIFIED DUTIES AND MINIMIZE THE
 RISK OF THE DEVELOPMENT OF HEART DISEASE.

FISCAL

NOTES: REQUIRES POST TO DEVELOP PHYSICAL FITNESS PROGRAMS
 WHICH MAY BE USED BY LOCAL LAW ENFORCEMENT.

STATUS: SENATE COMMITTEE ON APPROPRIATIONS

Dead

SUBJECT	POSITION	COMMENTS
STANDARDS	NEUTRAL	ACTIVE LEG

 * COMMISSION ON POST 10/02/86 STATUS REPORT *

 BILL-FILE - COMMISSION ON POST-MASTER
 COMMENTS -INFO LEG

BILL NO	AUTHOR	TITLE	SUBJECT	POSITION	COMMENTS
AB 277	STIRLING, L	CORRECTIONS RESEARCH AND TRAINING	GENERAL	NONE	INFO LEG
		CHAPTERED 86-1288			
AB 588	FERGUSON	COUNTY OFFICERS: CORONER, SHERIFF	GENERAL	NONE	INFO LEG
		ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT			
AB 650	TANNER	HAZARDOUS WASTE FACILITIES: IMMINENT AND SUBSTANTIAL ENDANGERMENT: STATE PLAN	GENERAL	NONE	INFO LEG
		CHAPTERED 86-1502			
AB 1981	WATERS, N	ABUSIVE CONDUCT	GENERAL	NONE	INFO LEG
		CHAPTERED 86-1289			
AB 1985	WATERS, N	CHILD SEXUAL ABUSE: JUDICIAL TRAINING.	TRAINING	NONE	INFO LEG
		CHAPTERED 86-792			
AB 2187	WATERS, M	HAZARDOUS MATERIALS	FUNDING	NONE	INFO LEG
		CHAPTERED 86-463			
AB 2408	FILANTE	HAZARDOUS WASTE: SUBSTANCES AND WASTE: SOLID WASTE.	GENERAL	NONE	INFO LEG
		SENATE COMMITTEE ON TOXICS & PUBLIC SAFETY			
AB 2457	WYMAN	UNEMPLOYMENT INSURANCE	GENERAL	NONE	INFO LEG
		CHAPTERED 86-924			
AB 2659	LANCASTER	PUBLIC EMPLOYEES	GENERAL	NONE	INFO LEG
		SENATE COMMITTEE ON JUDICIARY			
AB 2692	HARRIS	ILLEGAL DRUG LABORATORIES	TRAINING	NONE	INFO LEG
		CHAPTERED 86-1029			
AB 2819	CALDERON	PEACE OFFICERS: TRANSIT DISTRICTS: RESERVE POLICE OFFICERS	GENERAL	NONE	INFO LEG

 * COMMISSION ON POST 10/02/86 STATUS REPORT

 BILL-FILE - COMMISSION ON POST-MASTER
 COMMENTS -INFO LEG

BILL NO	AUTHOR	TITLE	SUBJECT	POSITION	COMMENTS
		CHAPTERED 86-160			
AB 2867	FLOYD	STATE POLICE OFFICER/FIREFIGHTER MEMBERS OF PERS: LOTTERY AGENTS	GENERAL	NONE	INFO LEG
		CHAPTERED 86-898			
AB 3150	EAVES	STATE PARK SYSTEM: EMPLOYEES: TRAINING	FUNDING	NONE	INFO LEG
		CHAPTERED 86-1394			
AB 3931	AGNOS	EMERGENCY MEDICAL SERVICES	TRAINING	NONE	INFO LEG
		SENATE COMMITTEE ON APPROPRIATIONS			
AB 4018	AGNOS	HEALTH CARE: PEACE OFFICERS	GENERAL	NONE	INFO LEG
		SENATE COMMITTEE ON APPROPRIATIONS			
AB 4058	VICENCIA	FIREARMS	GENERAL	NONE	INFO LEG
		SENATE COMMITTEE ON APPROPRIATIONS			
AB 4062	WATERS, N	PENAL LAW: VICTIMS	TRAINING	NONE	INFO LEG
		CHAPTERED 86-1434			
AB 4196	FLOYD	COUNTY EMPLOYEES RETIREMENT LAW OF 1937 SAFETY MEMBERS: ORANGE COUNTY	GENERAL	NONE	INFO LEG
		IN ASSEMBLY--UNFINISHED BUSINESS--RECONSIDERATION			
SB 712	MORGAN	HAZARDOUS WASTE: TOXICS CONTROL, CLEANUP AND REDUCTION BOND ACT OF 1986	FUNDING	NONE	INFO LEG
		IN ASSEMBLY--INACTIVE FILE			
SB 1048	TORRES	ENVIRONMENTAL AFFAIRS AGENCY: DEPARTMENT OF WASTE MANAGEMENT	GENERAL	NONE	INFO LEG
		VETOED			
SB 1374	KEENE	STATE EMPLOYEES: CALIFORNIA HIGHWAY PATROL.	GENERAL	NONE	INFO LEG
		CHAPTERED 86-1235			

 * COMMISSION ON POST 10/02/86 STATUS REPORT

 BILL-FILE - COMMISSION ON POST-MASTER
 COMMENTS -INFO LEG

BILL NO	AUTHOR	TITLE	SUBJECT	POSITION	COMMENTS
SB 1402	ROBERTI	ANIMALS: CRUELTY TO: HUMANE OFFICERS: SCIENTIFIC RESEARCH	GENERAL	NONE	INFO LEG
		SECRETARY OF THE SENATE			
SB 1850	NIELSEN	PEACE OFFICERS	GENERAL	NONE	INFO LEG
		SENATE COMMITTEE ON JUDICIARY			
SB 2079	MARKS	CRIMINAL STATISTICS	GENERAL	NONE	INFO LEG
		IN SENATE--INACTIVE FILE			
SB 2084	MARKS	PUBLIC EMPLOYEES.	GENERAL	NONE	INFO LEG
		IN SENATE--UNFINISHED BUSINESS--CONCURRENCE			
SB 2390	SEYMOUR	CRIMINAL INVESTIGATION: CALIFORNIA CRIMINALISTICS INSTITUTE	TRAINING	NONE	INFO LEG
		CHAPTERED 86-1040			
SB 2533	LOCKYER	PEACE OFFICERS	GENERAL	NONE	INFO LEG
		VETOED			
SB 2543	PRESLEY	BOARD OF CORRECTIONS	GENERAL	NONE	INFO LEG
		CHAPTERED			

Memorandum

: Commission Legislative Review Committee

Date : October 8, 1986

Norman C. Boehm
Executive Director

From : **Commission on Peace Officer Standards and Training**

Subject: 1987 Legislative Proposal - Amend Penal Code Section 832

Issue

Shall the Commission support legislation to amend current law (P.C. 832) to require that persons demonstrate satisfactory completion of the P.C. 832 training course by passage of a POST developed and/or approved examination?

Background

Current law requires all persons described in the P.C. 830 series as peace officers to "receive a course of training prescribed by the Commission on POST". This course was recently updated to include 56 hours of training in such topics as law, investigation, evidence, arrest, firearms and communications. Notwithstanding the improvement of course content, there is no statutory requirement that the course be satisfactorily completed or that passage of an appropriate final examination be mandated. Course presenters are currently allowed to exercise their own judgment relating to whether or not a student has satisfied the statutory requirements. In fiscal year 1985/86, 9,744 persons attended P.C. 832 training, of which 9,306 graduated. This equates to a 4.5% failure rate. As of this year, POST requires that all P.C. 832 presenters administer some form of written examination.

Analysis

While there is no verifiable evidence to demonstrate that persons who have attended the P.C. 832 course are not properly trained prior to exercising the powers of a peace officer, there is currently no statutory requirement that these peace officers meet any training standard, only that they "receive a course of training", etc. Technically speaking, this means the student must only attend the course without the need to demonstrate satisfactory mastery of the course content, through tests or any other measurement device. This provision of law not only provides the opportunity for persons not properly trained to exercise peace officer powers, but also it is not in agreement with an existing Penal Code Section (832.3) which requires "successful completion" of basic training for the enumerated local peace officers. It is clear that the legislative intent has always been that persons subject to the provisions of P.C. 832 demonstrate mastery of the required training before being allowed to exercise peace officer powers. This would codify that intent.

The proposal is to amend P.C. 832 to incorporate a requirement that persons required to undergo this training demonstrate mastery of the subjects taught, by passage of an appropriate test developed and/or approved by the Commission. This would ensure standardization of the testing process as well as the course content.

Proposed Amendments to Penal Code Section 832

832(a) Every person described in this chapter as a peace officer shall receive a satisfactorily complete a course of training prescribed by the Commission on Peace Officer Standards and Training. After January 1, 1989, satisfactory completion of the course shall be demonstrated by passage of an appropriate examination developed and/or approved by the Commission. Training in the carrying and use of firearms shall not be required of any peace officer whose employing agency prohibits the use of firearms.

(b)(1) (current language)

(2) (current language)

(c) (current language)

(d) (current language)

Memorandum

To : Commission Legislative Review Committee

Date : October 8, 1986

Norman C. Boehm
Executive Director

From : **Commission on Peace Officer Standards and Training**

Subject: 1987 Legislative Proposal - Amend Penal Code Section 13510

ISSUE

Should the Commission support legislation to amend current law (P.C. 13510) to require POST to set selection and training standards for public safety dispatchers employed by local government, who provide dispatch services at least 50% of the time to local law enforcement agencies who participate in the POST program?

BACKGROUND

As a result of a recent survey by POST, it is estimated that there are approximately 3800 public safety dispatcher personnel, including supervisors and managers, employed by the various state and local governmental units within the state. In many jurisdictions, these dispatchers are occupying positions that, until recently, were routinely staffed by sworn peace officers employed by police and sheriff's department. These peace officer dispatchers were required to meet the POST selection and training standards. With the civilianization of these dispatch functions, these standards are no longer applicable and therefore current dispatchers are not required to meet any statewide selection and training standard.

Because there is a feeling among some individuals and groups that an overriding public need exists for statewide selection and training standards to be established for all Public Safety Dispatchers, SB 1383 (Watson) was introduced in 1984 requiring the Commission to develop advisory standards for this group. At the Commission's request, the bill was withdrawn until such time as POST could complete a study of the issue of whether or not it was appropriate for the Commission to be involved in the setting of standards for non-sworn Public Safety Dispatchers. At the July 1985 Commission meeting, the POST Advisory Committee was asked to study the issue and report their recommendation at a future meeting. This recommendation was furnished to the at its July 1986 meeting and consisted of advising the Commission that they should consider establishing selection and training standards for only those Public Safety Dispatchers who have a primary responsibility to local law enforcement agencies who participate in the POST program. This would include dispatchers employed by local government in consolidated dispatch operations, who spend the majority of their duty time dispatching for local law enforcement agencies in the POST program.

ANALYSIS

Of the approximately 3800 public safety dispatchers employed in California, the number which could be affected by this legislative proposal would be substantially less. Many dispatchers are employed by other than local government agencies or do not devote the majority of their work time dispatching for law enforcement agencies in the POST program.

At the present time, POST has twelve certified Complaint/Dispatcher training courses available. During FY 85/86, these courses trained 708 persons, many of these being non-sworn public safety dispatchers employed by agencies in the POST program, therefore their agencies were routinely reimbursed, under current POST policy, for the training costs. The total amount POST expended in direct costs (travel, per diem, salary) for these courses in FY 85/86 was \$380,797.00. Because these courses have been in existence for some time and therefore most public safety dispatchers (sworn and non-sworn) employed by local agencies who participate in the POST program have already completed the training and their agencies have been reimbursed, it is not anticipated that any significant increased training costs would accrue to POST should this proposal be adopted. The costs associated with selection standard development and implementation cannot be calculated until it is determined what standards will apply.

As a number of local public safety dispatchers, who spend the majority of their work time dispatching for local law enforcement agencies in the POST program, are in fact a part of a consolidated city and/or county dispatch operation and therefore not directly employed by an agency participating in the POST program, this proposal would statutorily expand POST responsibilities to include this new group. It is anticipated that, in these instances, the local governing body of the consolidated operation would be required to pass an ordinance, or resolution, in the same fashion as law enforcement agencies have in the past, in order to become eligible to receive reimbursement for training costs.

In summary, current POST policy allows non-sworn local public safety dispatchers, who are employed by a local agency in the POST program, to attend POST certified training courses and their employing agency to be reimbursed for these training costs, without requiring these dispatchers to meet any selection and/or training standards. This proposal would essentially continue the training arrangement, but would require these dispatchers to be handled in the same fashion as peace officers. That is, in order to receive training funds, these dispatchers would be required to meet selection and training standards promulgated by POST.

Proposed Amendments to Penal Code Section 13510

(a) For the purpose of raising the level of competence of local law enforcement officers, the commission shall adopt, and may, from time to time amend, rules establishing minimum standards relating to physical, mental, and moral fitness, which shall govern the recruitment of any city police officers, peace officer members of a county sheriff's office, marshals or deputy marshals of a municipal court, reserve officers as defined in subdivision (a) of Section 830.6, policemen of a district authorized by statute to maintain a police department, regularly employed and paid inspectors and investigators of a district attorney's office as defined in Section 830.1 who conduct criminal investigations, or peace officer members of a district, in any city, county, city and county, or district receiving state aid pursuant to this chapter, and shall adopt, and may, from time to time amend, rules establishing minimum standards for training of city police officers, peace officer members of county sheriff's offices, marshals or deputy marshals of a municipal court, reserve officers as defined in subdivision (a) of Section 830.6, policemen of a district authorized by statute to maintain a police department, regularly employed and paid inspectors and investigators of a district attorney's office as defined in Section 830.1 who conduct criminal investigations, and peace officer members of a district which shall apply to those cities, counties, cities and counties, and districts receiving state aid pursuant to this chapter. All such rules shall be adopted and amended pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1, of Division 3, of Title 2 of the Government Code.

(b) The commission shall conduct research concerning job-related educational standards and job-related selection standards, to include vision, hearing, physical ability, and emotional stability. Job-related standards which are supported by this research shall be adopted by the commission prior to January 1, 1985, and shall apply to those peace officer classes identified in subdivision (a). The commission shall consult with local entities during the conducting of related research into job-related selection standards.

(c) For the purpose of raising the level of competence of local public safety dispatchers, the commission shall adopt, and may, from time to time amend, rules establishing minimum standards relating to the selection and training of public safety dispatchers employed by local government, and who have the primary responsibility of providing dispatching services for local law enforcement agencies who participate in the POST program. As used in this section, "primary responsibility" means the performance of law enforcement dispatching duties for a minimum of 50 percent of the time worked within a pay period.

~~(e)~~ (d) Nothing in this section shall prohibit a local law enforcement agency from establishing selection and training standards which exceed the minimum standards established by the commission.

Memorandum

Commission Legislative Review Committee

Date : October 8, 1986

Norman C. Boehm
Executive Director
From : **Commission on Peace Officer Standards and Training**

Subject: 1987 Legislative Proposal - Amend Penal Code Section 13502

ISSUE

Should the Commission support legislation to amend current law (P.C. 13502) to allow POST Commissioners to receive \$100 for each day they meet to conduct POST business, in addition to their travel expenses?

BACKGROUND

Current law provides that "members of the Commission shall receive no compensation", but are allowed to be reimbursed for travel expenses. The law also states that for purposes of compensation, the member's Commission activities shall be deemed to be performance of the member's local government duties.

The POST Commission is one of the few California Boards or Commissions that do not receive an allowance per meeting. The minimum amount normally allocated per meeting is \$50, with about one half of the groups receiving \$100 per meeting. One Commission receives \$250 per day, while another allows \$50 per day and \$12.50 per hour for meeting preparation time (see attached list).

ANALYSIS

Although there has been no request made that the Commission be allowed to receive a meeting allowance, fairness dictates that this issue be considered. Current law indicates that the legislature supports such compensation as a way of ensuring that members of the various boards and commissions, particularly members not employed in governmental organizations, are not required to use their own resources to make up variances in room rates, travel, meals and other expenses which are not allowed under State guidelines.

If a rate of \$100 per meeting were established, the maximum allowance per meeting would be \$1200. At four meetings per year, the annual cost for regular meetings would be \$4800 per year. It is anticipated that Commissioners on the various Committees also attend another 12 meetings per year. Average attendance at the Committee meetings is four Commissioners; therefore, an additional \$4800 would be expended on these activities, bringing the total meeting allowance to approximately \$9600 per year.

Compensation Rates
Miscellaneous Boards and Commissions

Department of Consumer Affairs Board Members (9)	\$ 50.	Da.
Fair Employment and Housing Commission (7)	50.	"
Colorado River Board of California (10)	50.	"
Seismic Safety Commission (?)	50.	"
Board of Chiropractic Examiners (?)	50.	"
Commission on Status of Women (9)	50.	"
California Law Revision Commission (7)	50.	"
California Transportation Commission (?)	\$100.	Da.
California Waste Management Board (8)	100.	"
State Coastal Conservancy (5)	100.	"
Santa Monica Mountains Conservancy (6)	100.	"
California Health Facilities Commission (9)	100.	"
California Arts Council (?)	100.	"
California Horse Racing Board (?)	100.	"
Fair Political Practices Commission (4)	100.	"
Fish and Game Commission (5)	\$250.	Da
California Coastal Commission (12)	\$50. Da.	\$12.50 hr. preparation

Proposed Amendments to Penal Code Section 13502

13502. Members of the Commission shall receive ~~no compensation, but~~ \$100 for each day they meet to conduct Commission business, and in addition shall be reimbursed for their actual and necessary travel expenses incurred in the performance of their duties. ~~for purposes of compensation, attendance at meetings of the Commission shall be deemed performance by a member of the duties of his local governmental employment.~~

Commission on Peace Officer Standards and Training
Advisory Committee Meeting
Griswold's Inn, Claremont
October 22, 1986, 10 a.m.

AGENDA

Call to Order and Roll Call	Chair
Approval of Minutes of Previous Meeting	Chair
Announcements	Chair
Commission Liaison Committee Remarks	Commissioners
Photo Session	Commissioners/Advisory Committee
Commission Assignment Discussion	
● Substance Abuse in Law Enforcement	Silbert/Wiley
● Principles and Values	Shinn
● Hazardous Materials Training	McKeown/Owens
● Accreditation	Pearson/Lowenberg
Commission Meeting Agenda Review	Staff
Advisory Committee Members Reports	Members
Open Discussion	Members
Presentation of Award	Chair
Election of Officers	Chair
Adjourn	Chair

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

**POST ADVISORY COMMITTEE MEETING**

July 23, 1986

Hilton Hotel

San Diego, California

MINUTESCALL TO ORDER

The meeting was called to order at 10 a.m. by Chairman Mike Sadleir.

ROLL CALL OF ADVISORY COMMITTEE MEMBERS

Roll was called.

Present were: Michael Sadleir, Chairman, Specialized Law Enforcement
Carolyn Owens, Vice-Chairman, Public Member
Don Brown, Calif. Organization of Police and Sheriffs
Ben Clark, Calif. State Sheriffs' Assoc.
Ray Davis, Calif. Peace Officers' Assoc.
Barbara Gardner, Women Peace Officers' Assoc. of Calif.
Derald Hunt, Calif. Assoc. of Administration of Justice
Educators
Ron Lowenberg, Calif. Police Chiefs' Assoc.
Joe McKeown, Calif. Academy Directors' Assoc.
Jack Pearson, State Law Enforcement Management
William Shinn, Peace Officers' Research Assoc. of Calif.
Mimi Silbert, Public Member
Gary Wiley, Calif. Assoc. of Police Training Officers

Absent were: William Oliver, Calif. Highway Patrol
J. Winston Silva, Community Colleges

Commission Advisory Liaison Committee Members present:

Commissioner Edward Maghakian, Chair
Commissioner Glenn Dyer
Commissioner Carm Grande
Commissioner Alex Pantaleoni

POST Staff present:

Norman Boehm, Executive Director
Don Beauchamp, Assistant to Executive Director
Imogene Kauffman, Executive Secretary

APPROVAL OF MINUTES

MOTION - Davis, second - McKeown, carried unanimously to approve the minutes of the April 23, 1986 Advisory Committee Meeting in Sacramento.

ANNOUNCEMENTS - -

Congratulations were extended to Mimi Silbert for her recent appointment to the California Board of Corrections and to Chief Ray Davis who now has the title of Assistant Deputy City Manager/Chief of Police in Charge of Fire Police and Emergency Services.

SUB-COMMITTEE REPORT: ADVISORY COMMITTEE AWARDS

Gary Wiley reported that there was a consensus of the Sub-Committee that a procedure should be established to allow the Advisory Committee to recognize members' service at the time they leave the Advisory Committee. During discussion, it was agreed that the Sub-Committee is to be notified when a member will be leaving so that a plaque can be presented at the last meeting the member will attend. The plaque will be purchased and each Advisory Committee member will be expected to contribute his or her share of the cost. It was determined that there should be a requirement that the member must have served at least one full term to be eligible for a plaque and that the inscription on the plaque be standardized.

MOTION - Davis, second - Pearson, carried unanimously to accept the Sub-Committee report with the stipulation that the plaques be standardized with respect to design and lettering.

SUB-COMMITTEE REPORT DISPATCHER SELECTION/TRAINING STANDARDS

Carolyn Owens discussed the results of the mini-survey of Advisory Committee members relating to whether or not POST should be involved in establishing dispatcher selection and/or training standards. The results of this survey were shown on a summary sheet furnished to each Advisory Committee member. During the discussion on this issue, Ray Davis commented that the group should consider broadening the scope of this inquiry to include dispatchers who may be a part of a consolidated dispatch organization serving several public safety agencies, such as fire and ambulance, rather than just law enforcement organizations. This type of centralized dispatching is becoming more common, with many jurisdictions throughout the State using such a system. The Committee agreed that if minimum standards were to be established, they should apply to all persons who spend the majority of their time dispatching for law enforcement agencies, irrespective of whom their employer might be.

MOTION - Davis, second - Shinn, motion carried (Clark - No,) to recommend to the Commission that POST establish and set selection and training standards for all dispatchers who have a primary responsibility of dispatching to law enforcement agencies. (It was also recommended that the survey results be forwarded to the Commission along with the motion.)

Ron Lowenberg requested that the Commission be asked to consider developing an ad hoc committee to deal with specific issues relating to the establishment of

dispatcher selection and training standards. The ad hoc committee could be made up of field personnel and include representatives of the Advisory Subcommittee on Dispatcher Selection/Training Standards.

FUTURES ISSUES DISCUSSION

Mike Sadleir asked the group to consider the usefulness of scheduling a discussion at each Advisory Committee meeting of one or two items outlined in the document from the Advisory Committee, "Discussion Paper for the Commission on POST on the Future of the Program", dated March 1983. The purpose of these discussions would be to more thoroughly understand these issues and provide further input to the Commission in the future.

MOTION - Davis, second - Clark, carried unanimously to move the agenda without action on this item.

COMMISSION MEETING AGENDA REVIEW

Norman Boehm, Executive Director, reviewed and discussed the Commission meeting Agenda for the July 24 meeting.

ADVISORY COMMITTEE MEMBER REPORTS

Calif. Assoc. of Police Training Officers - Gary Wiley reported CAPTO is in the process of putting together the fall Training Managers' Update to be held in Santa Maria October 15, 16 and 17, 1986.

Calif. Organization of Police and Sheriffs - Don Brown reported that COPS completed in June a very successful Stress Reduction Seminar for officers and their families.

Police Officers' Research Association of Calif. - Bill Shinn reported that PORAC intends to get more involved with law enforcement issues and law enforcement labor issues, as well as taking a more pro-active stand in the legislative process. He also reported that CAUSE has severed all relationships with PORAC.

Calif. Police Officers' Assoc. - Ray Davis reported that CPOA has moved to new headquarters at 1485 River Park Drive, Suite 200, Sacramento 95815. The new CPOA President is Richard Moore, Chief of Police of Atherton.

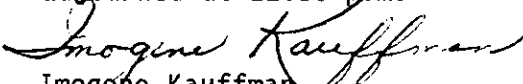
Calif. Academy Directors' Assoc. - Joe McKeown announced that the new CADA Chairman is Jim Ferronato, Deputy Chief, San Bernardino Sheriff's Department.

OPEN DISCUSSION

The Committee was reminded that the election of officers will be on the October agenda and some thought should be given to prospective candidates.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 12:50 p.m.


Imogene Kauffman
Executive Secretary



DIVISION OF INVESTIGATION
444 North 3rd Street, Suite 110
Sacramento, California 95814
(916) 324-1534



August 20, 1986

Mr. B. Gale Wilson
Chairman
California Commission on Peace Officers
Standards and Training
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

Dear Sir:

It is with profound disappointment that I must refer this letter to your commission.

Today when I attempted to file an application to attend the Command College, I was informed that it is the policy of the commission to accept only the Highway Patrol and Department of Justice agents from state government.

Any such policy seems so irrational and discriminatory that it is difficult for a professional criminal justice administrator to believe.

Although the program that I manage is small in comparison to the Highway Patrol, we are all peace officers with statewide investigative responsibilities. Last year we arrested in excess of 500 suspects for criminal law violations.

I am of the opinion that the service we perform is just as important to the California public as the service performed by any other state law enforcement agency.

Because of our contribution to the system, it seems that we should be entitled to compete for any and all peace officer training that is administered by the State of California.

In order to adequately register my professional concerns, I am requesting an opportunity to address your commission at a public meeting in the near future. Your response to this request is appreciated.

Very truly yours,

DUANE LOWE
Chief

DL:vb

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SACRAMENTO

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO 95818-7083GENERAL INFORMATION
(916) 739-5328EXECUTIVE OFFICE
(916) 739-3864

BUREAUS

Administrative Services
(916) 739-5354Center for Executive
Development
(916) 739-2093Compliance and Certificates
(916) 739-5377Information Services
(916) 739-5340Management Counseling
(916) 739-3868Standards and Evaluation
(916) 739-3872Training Delivery Services
(916) 739-5394Training Program Services
(916) 739-5372Course Control
(916) 739-5399Professional Certificates
(916) 739-5391Reimbursements
(916) 739-5367Resource Library
(916) 739-5353

September 8, 1986

Duane Lowe, Chief
Division of Investigation
444 North 3rd Street, Suite 110
Sacramento, CA 95814

Dear Mr. Lowe:

Your letter to Mr. Gale Wilson, Commission Chairman, has been referred to me for response. You were correctly informed that your agency is not eligible to apply for the Law Enforcement Command College based on previously established Commission procedures.

Questions regarding Command College eligibility or changes in procedures are normally referred to the Commission's Committee on the Command College, chaired by Robert Wasserman. The Committee makes an investigation of the facts revealed and then provides a full report at the next Commission meeting for a final determination by that full body.

Your letter will be made available to the Commission at their October 23, 1986 meeting in Claremont. The Commission will likely follow their previous actions on the subject and refer your letter to the Command College Committee for recommendations to the full Commission.

If you would like to discuss this further, please feel free to contact me at (916) 739-3864.

Sincerely,

NORMAN C. BOEHM
Executive Director



California State Sheriffs' Association

Organization Founded by the Sheriffs in 1894



September 24, 1986

President

BRAD GATES

Orange County

P.O. Box 449

Santa Ana, CA 92702

714-834-3000

1st Vice President

WALLY BERRY

Tuolumne County

28 N. Lower Sunset Drive

Sonora, CA 95370

209-533-5815

2nd Vice President

FLOYD TIDWELL

San Bernardino County

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San Bernardino, CA 92402

714-383-2511

Sergeant-At-Arms

SHERMAN BLOCK

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213-974-4104

Secretary

RICHARD F. PACILEO

El Dorado County

300 Fair Lane

Placerville, CA 95667

916-626-2271

Treasurer

LARRY KLEIER

Kern County

P.O. Box 2208

Bakersfield, CA 93301

805-327-3392

Mr. Norman Boehm, Executive Director
Commission on P.O.S.T.
1601 Alhambra Boulevard
Sacramento, California 95816

Attention: B. Gale Wilson, Chairman, P.O.S.T.

Dear Norm:

The California State Sheriffs' Association Executive Board meeting was held in Lake Tahoe on September 10 and 11, 1986. One of the agenda items was to nominate a Sheriff to serve on the Commission on P.O.S.T. Advisory Committee. The Board unanimously voted Sheriff Floyd Tidwell to serve on the P.O.S.T. Advisory Committee. Your request that three names be submitted for consideration was discussed and it was decided that only the name of Sheriff Tidwell be submitted.

Since the Executive Board meeting, I am in receipt of the P.O.S.T. Commission policy which dictates that associations or agencies shall nominate a minimum of three individuals in priority order. The California State Sheriffs' Association Board remains decided that Sheriff Tidwell be nominated and selected to the P.O.S.T. Advisory Committee.

In an effort to satisfy P.O.S.T. policy, Sheriff Albert Cardoza and Sheriff Wally Berry are submitted as nominations and are worthy of your consideration.

Thank you for your consideration in this matter.

Sincerely,

BRAD GATES
Sheriff-Coroner

BG:kc

cc: Sheriff Albert Cardoza
Sheriff Wally Berry
Sheriff Floyd Tidwell

SEP 30 12 47 PM '86